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Lyndon Johnson's Political Personality
Doris Kearns

American Opinion on the Use of Military Force Abroad
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Nicole A. Gordon

The Pennsylvania Origins of the Jackson Movement
Kim T. Phillips

Book Reviews

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Health care expenditures of local governments have increased greatly, but are Americans becoming healthier? The Academy, at its fall conference in October to be held at Columbia University in New York City, will consider "The Role of Local Governments in Providing Health Services." Detailed programs will be mailed to Academy members.

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From the Managing Editor:

In this issue . . .

DORIS KEARNS analyzes the development of Lyndon Johnson's political personality—his characteristic ways of acquiring and using power—and traces the impact of Johnson's personality style on his leadership first as Senate majority leader and then as a president promoting domestic reform and escalating the nation's involvement in Vietnam.

BRUCE RUSSETT and MIROSLAV NINCIC report on what public opinion data tell us about the willingness of Americans to use military force to help foreign nations. They find that the current level of support has dropped to that of the period immediately preceding American entry into World War II and that Americans are highly selective about what countries they are willing to defend and under what circumstances.

AMITAI ETZIONI and PAMELA DOTY examine current laws and regulations governing the financial dealings of not-for-profit corporations. They argue that omissions, ambiguities, and loopholes in these laws and regulations make it possible for trustees and staff of not-for-profit corporations to engage in fiscal abuses that bring them unmerited personal profit.

MICHAEL BARUCH GROSSMAN and FRANCIS E. ROURKE contend that what has been traditionally characterized as an adversary relationship between the president and the press has been taking more of the form of a mutually beneficial exchange of news for publicity. They also believe that the press has recently been improving its position in the trading relationship that historically has been dominated by the White House.

NICOLE A. GORDON looks at the extent to which the rights of candidates for elective office have been found to be constitutionally protected. She traces the different theories courts have used to justify invalidation of laws hindering prospective candidates and suggests that the Supreme Court recognize candidacy as a "fundamental" right.

KIM T. PHILLIPS discusses the earliest sources of support for Andrew Jackson as a presidential nominee in 1824. She finds that economic discontent in the aftermath of the panic of 1819 was central to the campaign to nominate Jackson, who was seen as a potential reformer of the system of banking and business privilege.

DEMETRIOS CARALEY

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Lyndon Johnson's Political Personality

DORIS KEARNS

Lyndon Johnson's life took him through a succession of public institutions: the House of Representatives, the Senate, the vice-presidency, and the presidency. He first came to Washington when Herbert Hoover was still president; his public career spanned the depression, the New Deal, World War II, Korea, postwar economic expansion, the cold war, the Eisenhower years, the New Frontier, the Great Society, and Vietnam. He was a candidate for office from a fairly liberal congressional district with a populist tradition, then from a conservative state dominated by powerful economic interests, and, finally, his constituency was the entire nation.

This staggering diversity of historical circumstances and public institutions which constituted the changing environments of Lyndon Johnson's public life provides an unusual opportunity for understanding the interplay between personality and institutions in America. Lyndon Johnson's character, his favorite methods of acquiring power and of using that power, his personal strengths and weaknesses, can all be viewed in different contexts, thus providing an invaluable look at both the changeless dynamics of power and the changing structure of the American political system in the past forty years.

This article first examines Johnson's characteristic ways of dealing with the world, formed through his various experiences within his family and cultural setting. The study will then turn to a comparative examination of two of the major institutions Johnson encountered—the Senate and the presidency—in an attempt to assess the impact of personality on successful leadership in different settings.

DORIS KEARNS is a professor in the Department of Government at Harvard University. She has recently published the book, *Lyndon Johnson and the American Dream.*

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Personality Development

The picture of Johnson's early life suggests a childhood torn between the irreconcilable demands of his mother—who hoped to find in his intellectual and cultural achievement a recompense of her dead father, unhappy marriage, and thwarted ambition—and those of his father, who considered intellect and culture unmanly pursuits. This may not, of course, be a wholly accurate or complete description, but the evidence we have—Johnson's recollections, his early letters to his parents, and his later behavior—supports this conclusion. His parents, most significantly his mother, seemed to bestow or withdraw approval on the basis of his behavior at home and, later, his accomplishments at school. All her expressions of satisfaction and love were related to something her son had done, just as his implied appeals for approval were accompanied by descriptions of all the good deeds he had accomplished.

Thus as Johnson grew up, he identified the success of his performance as the source of love. He could not allow himself to doubt that his mother loved him or that her praise was evidence and expression of her love. Unfortunately, however, words of admiration, praise, satisfaction, joy, even of love, which seemed a response to Johnson's activities in the many worlds through which he moved, could never truly fulfill his need for love. For the "love" whose experience, denial, or withdrawal is basic to the configuration of a given psychic structure must be, psychoanalysts tell us, perceived as a response to one's own being, unqualified by success or failure, by mental or physical defects, or by relationships to the external world. When this fundamental love is denied, or, as in Johnson's case, attached to external performance, then no recognition of personal qualities and gifts, such as integrity, warmth, energy, and talent, can suffice to satisfy inward needs. Performance alone can prevent the sense of failure and that performance must be continually displayed since past effectiveness is swiftly erased and soon counts for nothing at all. Thus continual motion and limitless ambitions become the necessities of daily life.

Lyndon Johnson found the source of his achievement in the acquisition of power and control. Yet control is not the only road to success, even in public life. For Johnson, however, control fulfilled another need as well: mastery of the outer world was necessary to mastery of the self; controlling his home environment was the only means for reconciling the profound inward tensions imposed by the contradiction between his mother's demand for intellectual achievement and his father's notions of manly pride. And control of the external world was also the only way of containing the powerful mixture of hate, rage, and love he experienced at various times toward his mother, his father, and himself. Mastery of the outer world was necessary to mastery of the self. And the drive for control was a surrogate for his urgent childhood desires to control the earliest of his environments and change his position within his parental family, thus enabling him to compel love and prevent conditions that created inner conflicts, dangers, and fears.

This understanding of the inward forces that contributed to Johnson's pursuit

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of power should not diminish respect for his extraordinary achievements; on the contrary, it should increase our regard for the masterful way in which—most of the time—he was able to harness and direct his personal needs toward constructive, social ends. Why some men cope and others do not remains a mystery. While we are able to suggest a number of possible bases for Johnson's strength—his grandfather's reliability, his mother's early devotion, his father's interest and attention—we have no theory to connect these observations in a coherent pattern. The psychoanalytic literature is able to analyze sources of weakness better than sources of strength.

It is also important to recognize that, while the demands of psychic structure led Johnson to pursue power, they did not determine that politics would be the avenue for that pursuit. The larger social setting provided content for Johnson's ambitions. Had his father and his father's friends been engaged in business or finance, one can imagine Johnson pursuing a very different career. But the options for a poor boy from a poor place in central Texas were limited—practically, if not theoretically. Politics was the one profession that seemed to offer both a reasonable chance of entry and a limitless future. In short, the same drives set in a different society or in another age might have led to very different pursuits.

And one thing is certain: his childhood relationships, the manner in which he sought, out of necessity, to resolve conflicts, protect his identity, and find personal fulfillment, may have shaped and energized his ambitions, but they did not, and could not, ensure their realization.

Johnson's success and achievements—his performance—were made possible, to a very large extent, by his unusual capacities, his intellect, energy, talent, and insight into men and the nature of institutions, through which he developed techniques of incredible and intricate subtlety. To his knowledge and skill he applied an innovative genius to construct a large variety of instruments which increased the coercive powers that enabled him to impose his will. And that very success only strengthened and increased his ambition.

On the foundations of the basic elements of his psychic structure, Johnson constructed characteristic forms of behavior and conduct which he repeated constantly throughout the various stages of his career. Every time he entered an institution whose structure made such a relationship possible and productive, Johnson apprenticed himself to a man with superior power—Cecil Evans, the president of his college, Richard Russell, Senate leader of the southern bloc, even President John F. Kennedy; he became the invaluable helper, the deferential subordinate willing and able to perform a dazzling range of services for his master, until, step by step, the apprentice accumulated the resources that enabled him to secure the master's role.

But Johnson was not alone in playing the role of apprentice, a role marvelously suited to a political system marked at important institutional levels by seniority and gradual ascent. What distinguished his behavior from others' was the skill with which he managed to avoid remaining a completely loyal subordinate (a

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position that halted the ambitions of others), yet, even while changing his role, to retain his master's support. The skills he evidenced here resonated of ones he had shown much earlier in his life as he walked the even more treacherous path between his parents conflicting demands. The boy's earliest relationship with his mother was shaped by the idea that she needed him, and the confidence that he was capable of fulfilling that need. But with his mother, more than with anyone else, the role of apprentice required a distance; nothing less than survival of the self was at stake. So Johnson instinctively reached for the only other base of power he knew: identification with his father provided the independence he needed to separate from his mother.

In the exercise of his power, Johnson used a related technique drawn from an old tradition: he obligated his followers by providing them with services or benefits which they desired or needed. But the line between obligation and coercion was often thin. In return for his gifts, Johnson demanded a high measure of gratitude, which could only be acceptably demonstrated by the willingness to follow his lead. Though with some colleagues (those not central to his pursuit of power) he was able to grant the leeway and independence he himself had demanded, his more typical pattern required a continuing proof of loyalty so extreme that their autonomy was endangered. These demands for submission invariably worked against him, insulating him from the give and take of an adversary proceeding. He seemed to fear that any relaxation of control, even in front of his closest colleagues, would open the door to unknown enemies.

Of course, this kind of behavior cannot be attributed solely to Johnson's inner needs. It was also a response to the nature of the political world. When every situation is translated into one of power lost or gained, all relationships, including friendships, are reduced to a series of shifting, undependable alliances. In such a world it is easy to succumb to the belief that even one's closest "friend" must be watched for signs of treason.

But the vicissitudes of the political career account for neither the urgency beneath Johnson's demands for submission nor the passions he projected onto his critics. These emotions can be understood only by recognizing the fears of illegitimacy and loss that plagued Johnson from his earliest experience with power (his position in his mother's home), where he knew that all the power he commanded, while momentarily great, was subject to instant removal the moment his father returned. And these fears of illegitimacy and loss were undoubtedly reinforced by the circumstances of a political career that depended over and over on death (in 1937, Congressman Buchanan's sudden death opened up the seat in the Tenth Congressional District; in 1948, Senator Morris Sheppard's death opened the second senatorship from Texas, and of course, in 1963, John Kennedy's assassination opened up the presidency) and political defeat (Lucas and McFarland, successive Senate Democratic leaders before Johnson, were defeated in the 1950 and 1952 elections). Nor was his sense of the precariousness of his power relieved by the narrow victory that launched his Senate career (eighty-seven votes).

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Throughout his career, Johnson exhibited an unmatched capacity to persuade individuals in one-on-one or small private settings, coupled with a crippling incapacity to present himself effectively before large public audiences. This juxtaposition of traits has long served as a puzzle for Johnson watchers. Countless descriptions have been offered of his uncommon skill in personal encounters, his brilliant blend of calculation and instinct, his unmatched richness of language and tone. One can safely assert that no American political leader has ever equaled Lyndon Johnson in the capacity to know the motives, desires, and weaknesses of those with whom he dealt. He seemed to possess a wholly intuitive ability to perceive a man's nature so accurately and profoundly as almost to be unnatural. Yet this same man, forced to speak before a large public audience, invariably stiffened up, his words delivered in monotone voice, his smile frozen, his hands tightly gripping the lectern.

This contrast is partially accounted for by the recognition that formal settings were less suitable to Johnson's particular talents—crude and colorful metaphors are less appropriate in formal speeches, and the power of physical touch is obviously reduced when the speaker stands before an audience of ten thousand or sits alone in a bare television studio. And part of the explanation for the problem in his later years can be found in the concept of the president as a statesman above the fray, a concept that Johnson shared with many others.

Yet many of the skills involved in the one were applicable to the other, as Johnson's own successes showed. His best speeches were those in which he departed from the text, and by far his most effective television appearance as judged by a poll of viewers was a long, informal conversation with three reporters during which he alternately sat in his chair, roamed around the room, or stood beside his desk, raising and lowering his voice at will. After this appearance, the opinions of his advisers were unanimous: he must adapt his informal style to his public appearances. Johnson refused with a stubborn persistence that can only be understood by searching back in his past, to the contrast already mentioned between the rich and natural mode of talk he adopted from his father and his mother's very different standards of acceptability, which produced in him a measure of shame and a determination, at least in public, to meet his mother's ideal. Yet the son of the woman who taught elocution and debate was dismissed from his lessons in public speaking for mumbling too much—suggesting perhaps an unconscious impulse to take revenge on his mother—and he never conquered his terror of speaking before an audience.

Johnson's career was marked by a continuing effort to avoid confrontation and choice, to prevent passionate and emotional divisions over issues. This inclination can be understood as a response to his particular family situation. From his earliest days he had learned that if he chose his father, he might jeopardize the love and respect of his mother; if he chose his mother, his identity as a man would be in danger. The challenge then, as always, was to find a method of satisfying both—to shape an intermediate path, to find consensus. But Johnson's drive for consensus was not simply a product of inner need; its roots can be seen in the

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traditions and historical experience of his cultural environment, in the prevailing attitudes and ideals that comprised his view of the world.

The political heritage of Johnson's hill country was that of populism. There Johnson absorbed the established concept that government existed to help the ordinary citizen, and that the ordinary people's basic wants were essentially the same. He built his first campaign for the Congress on the promise that he alone could bring the benefits of the New Deal to the people of his district. And once elected he kept his promise: he brought water and electric power to the Tenth District; he developed a slum-clearance project for the poor; he focused on the problems of the Mexican-Americans. But the populism that influenced Johnson did not include a theory of class conflict. Johnson's family was poor, but it did not identify with the poor, choosing instead to identify with the great majority of Americans, who believed in the possibility of progress and quelled their resentments of the rich by the conviction that someday they, too, would be rich.

Over time, as Johnson stretched his ambition from the Tenth District to the state of Texas, he stretched his conception of "the people" to include the oil and gas men, the big ranchers, the big builders, and the cotton growers. Needing the support and the money of these powerful men, Johnson revised his definition of governmental responsibility to include help for the few as well as services for the many. He became a specialist in defense, a friendly agent ready to deliver any number of government contracts in return for campaign contributions and political support. He moved up in the world, but he never forgot the place where he had been born; he simply added new constituents to the ones he had originally served. Separate packages separately designed for separate groups—this was the winning strategy as Johnson defined it. Thus Johnson built his career on a series of disparate layers; he added one incompatible constituency on top of another; he juxtaposed contradictory ideas without choosing between them. This was a source of his personal strength in rising to power, but it also reflected the nature of a political system that rewards those capable of appealing to a variety of interests.

Johnson wanted many things, but among them, without doubt, that every American should have enough nourishing food, warm clothing, decent shelter, and a chance to educate his children; and later, as the presidency extended his reach, he wanted to restore nature, rebuild cities, even build a Great Society. He wanted to out-Roosevelt Roosevelt and, at the same time, thought that what he wanted, everyone wanted, or would want if only he could explain it to them.

So as president he took the course that was most congenial to his character, and probably the only course possible in 1963. He would persuade everyone—businessmen, union chiefs, bankers, politicians—that his goals were in their interest, an interest that he thought, perhaps naïvely, was buried somewhere in every man—the desire to contribute, to leave behind a mark of which he could be proud. This drive to avoid conflict was a source of his greatest achievements in using his power: his success in bringing the Senate to its peak of effectiveness in the 1950s and in forging a consensus on the Great Society that went beyond

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the splitting of differences. Yet the drive was also a source of weakness. The American political system, superb in developing the technique of consensus, proved less capable of providing direction. Where positive goals were lacking, consensus could not supply them. Where hard choices had to be made (between constituents and ideas), Johnson could not choose. He could not choose between the Great Society and Vietnam; not only when—as in 1965—that choice seemed unnecessary because of an expanding economy and a faith in technology, but, more revealingly, when the failure to choose was obviously destroying the Great Society, the prospects of the war, and Lyndon Johnson himself. Still refusing to face even the necessity of choice, Johnson evolved an elaborate and illusory system (statistics on the continuing progress of the Great Society, statistics on Vietnam proving that the war was indeed being won), which distorted his vision and limited his real options. But practical necessity could not shift his course; the fear of choice had its roots too deep in his character and experience.

Personality and Institutions

Experience would strengthen Johnson's capacities, modify and supplement his modes of behavior. Man's identity, as Erikson has pointed out, is not fixed; it continually evolves through different phases of life. Some experiences induce growth in character, others provoke regression or even mental disintegration. Johnson's life history shows that he could adapt his conduct to the requirements of different political settings, that his priorities and commitments could change with the circumstances of the time. But that adaptation was possible only within limits. Some of his techniques and his ways of dealing with the world were so deeply rooted in his character and his nature that alteration proved impossible, even when those techniques proved no longer effective.

Having examined these characteristic techniques, let us consider here two of the many institutions Johnson encountered—the Senate and the presidency—in order to assess the impact of personality in varying settings. In the present state of knowledge, it is not possible to describe the interaction of men and institutions in full and accurate detail. Institutions like individuals change over time; history moves on. The process itself cannot be frozen for inspection. The requisites for success in the same institution are different at different periods of time. This does not, however, make it impossible to analyze the interaction of men and events at a specific period of time and to draw conclusions, which I shall now attempt to do by examining the Senate first and then the presidency.

The Senate

When Lyndon Johnson became a senator, he entered an institution extremely well suited to his capacities, and at a time in the history of both Senate and country that made it possible for him to exert those capacities with great effect. No matter how great his abilities, Johnson's rise to power would not have been pos-

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sible if the institutional conditions of the Senate had, like those of the House, not been favorable.

First, power in the Senate was less institutionalized than it was in the House. It was, for the most part, exercised by an informal group known as the "inner club"—the chairmen of important committees, mostly southerners and predominantly conservative—whose acknowledged leader was Richard Russell. The hierarchy was not rigid, nor did it attempt to extend control over all the details of Senate activity. The formal leadership positions had little actual authority, and were not sought by ambitious men who had invested years of service in anticipation of being selected; their occupancy was seen more as a duty than as a base of power. Moreover, as Truman's administration neared its close the Democratic party was in disarray, the president himself preoccupied with the Korean War, his influence dwindling. Thus there was no external party influence either on the current leadership or on the process of selection, as there might have been under a strong Democratic president and a united Democratic party.

All these factors contributed to a situation where Johnson was able by skillfully cultivating one man—Russell—to provide an entry for himself into the power structure without infringing on the authority and prerogatives of others. There was no need to displace existing leadership—happenstance opened the posts—or to fight the organized candidacies of others. He had simply to make himself both desirable to Russell and the inner club and at least acceptable to the northerners. And meeting the requirement, he played a skillful game: he apprenticed himself to Russell, performing all manner of tangible and psychic services, yet he avoided being placed in an ideological category that would have made him totally unacceptable to the other senators. Thus he was prepared for the leadership opportunity when it came—through the successive vacancies of the officers of party whip and minority leader.

Once he became minority whip and leader, Johnson was able to accumulate power by exploiting institutional vulnerabilities—some the very ones that had made his selection possible—and the changing conditions of national and political life. Slack in the system was perhaps the most important condition. The inner club exercised its power only over those matters it considered important or of special interest. In other areas there was no real authority, nor was there any leadership concerned with the interest of the Senate as a whole. Moreover, the inner club tended to exercise its power along ideological lines, enforcing interests and attitudes that were generally conservative and southern. Its members were not concerned with the inevitable resentments of other senators who did not share their convictions, because their power was based not on majority vote but on control over committees and tacit acknowledgment of their right to authority. Nor did the inner club try to placate the inevitable resentment of an increasing number of new senators who felt that the established customs, leadership, and procedures barred them from a significant role in the legislative process, diminishing their opportunity to perform as they wanted and as their constituents expected.

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Yet, if resentments smoldered and needs went unmet, there was no organized or coherent effort on the part of any group to displace the present leadership with a majority leadership of its own. The formal discipline that would have been required for such a revolt was hard to find in a body characterized by independent bases of power for each of its members. Each senator had interests distinct from those of every other—derived primarily from the necessities of his own political career. While a senator's concern for the effective functioning of the Senate as a whole was not absent, it was not generally a priority concern compared to his relationship with his constituents. Thus the alternatives history provided—strong, elective party leaders with party caucuses to bind votes and men—seemed even less appealing than a disorderly, uninstitutionalized Senate.

The situation was ripe for a personal leadership style: one that could lessen the tensions resulting from the southerners' tight control, concern itself with the smoother operation of the Senate, gather central resources to help individuals, but always remember that a senator's relationship with his constituency was the primary concern.

So upon taking over, Johnson assumed some burdens of leadership that had not previously been exercised—allotment of office space, scheduling of legislation, appointments to committee delegations. Able to comprehend the current structure of the Senate as a whole, he formed a mental picture of a different structure and moved toward it with such skill that he managed to bring everyone along with his changes, even those who would potentially lose power under the new system. He began by persuading the inner club to relax seniority just a little, to provide more seats on important committees to new members as a token means of quelling incipient resentment and as a way of making the Senate function more effectively. By this move, however, he obligated the freshmen senators to him; he established the appearance that his authority was the source of their ability to do their work effectively. At the same time, the small size of the Senate allowed him to gather information about every senator: what he was going to do, was likely to do, or might be persuaded to do. Over time, Johnson became the only source of authoritative information on the Senate as a whole. Thus he became useful, and often indispensable, to other senators who were forced to rely upon his judgment about, for example, the chances of passing legislation in which they were interested, or what form of compromise could bring agreement, or when they could take a trip without missing a crucial vote. In addition, he made it impossible for others to separate the appearance of power from its reality. If, for example, he told a senator that he would make sure of a favorable vote on his bill and the bill passed, one could not know whether Johnson had exerted his authority or whether he had already known what the result would be. In this way he secured obligations not only by rendering real services and rewards but by seeming to produce results that were not, in fact, of his doing.

The insulation of the cloakroom, where much of the Senate's business occurred, allowed Johnson to impose his will separately on each senator and in such a way as to reduce awareness of the coercive nature of his leadership. Had there

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been collective forums of decision in which he had forced individuals to go his way, the coercive nature of his tactics would have been all too clear. And, in fact, Johnson drained the collective organs, the caucus and the conference, transforming most of the Senate's business to his own office, where his relations were seen as bargaining. And, true, his capacity to bargain and persuade was undoubtedly an important element in his leadership. Yet the process was essentially coercive; over time, Johnson's power became increasingly necessary to the capacity of others to sustain and exercise their own authority. Every time he bargained there was always the implicit threat—never voiced, but inherent in the very disproportion of power and rewards—that failure to go along might have damaging consequences. And in most cases the senators yielded, except, of course, on matters of fundamental concern to their constituencies—a limit Johnson understood and respected. When he anticipated failure, he didn't try to persuade—a fact that only enhanced his reputation as a leader who accomplished what he set out to do.

The disguise was essential. For no senator could afford to let others know he was being compelled to act by another, that he was submitting to Lyndon Johnson's will. The nature of the Senate required unanimous acceptance of the mask —continual recognition of the majority leader's skills, his brilliance in argument, his effectiveness in conducting the business of the Senate, his genius at compromise—but not of his power to enforce his will. It is true that Johnson disliked, even feared, direct and open confrontation. But he was essentially a coercive personality, working in a situation in which bargaining and persuasion were the necessary forms for the acquisition of power and the exercise of control. Such forms were also more congenial to his personal qualities, reducing the possibility of failure, since one could not be defeated in a discussion or defied and overcome by another's inability to understand the wisdom of one's advice and arguments.

If institutional process and structure made the most important contribution to Johnson's power and the manner of its use, he was also helped by historical conditions and political circumstances, which—and partly because they were so congenial to his own character—in turn, influenced his conduct in the Senate. It is, for example, difficult to imagine Johnson's achieving a similar concentration of power in the Senate of Daniel Webster or John Calhoun. He came to Senate leadership during a time of relative quietism. The economy was doing well, and occasional recessions seemed nothing more than transient interruptions in the steady growth of personal affluence. There were no passionate issues of the kind that led to deep and irreconcilable divisions along lines of fundamental interest or ideology.

And the political circumstances were also congenial: a president uninterested in social reform, whose popularity restrained most Democrats from too open or strong opposition, permitted Johnson to avoid disruptive debates whose outcome he could not control. And that same president, because he was a Republican, made it unnecessary for Johnson to subordinate his conduct to the White House as he might have had to do with a strong Democratic leader.

Let us now turn to the influence of his power on the structure of the institution

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and on national events. Clearly, he had achieved more power as leader than any other leader in decades. And he had built that power from the qualities and structure of the institution. But he had not created institutionalized power. His powers had not, with a few exceptions, been incorporated into the formal authority of the majority leader. He had transformed a position of limited significance into one of great power. But he had used the majority leadership and not transformed it. His system depended on his capacities, knowledge, and command over a variety of procedures which he enforced but did not establish. As a result, when he left, the Senate had no centralized structure of leadership—unless it could find another Lyndon Johnson, which seemed unlikely, since it had waited two centuries for the first one.

Despite the failure to institutionalize his power, we must conclude that Johnson did bring the Senate during his reign to unprecedented heights of effective function. Legislation was moved from introduction to committee to floor and then enacted smoothly and with dispatch. Conflicts were reduced and respect for the Senate increased. Johnson's leadership is also responsible for speeding up the process through which the powers of the conservative southern coalition were redistributed to the Senate as a whole, a process made inevitable by population shifts and the loss of a one-party South, and for reducing some of the inequalities resulting from the seniority system. The old system had rested on accepted traditions and procedure, informal alliances based both on common outlook and mutual interest and on established procedure—seniority—for the acquisition of authority. Once that system had changed, then the belief that the way things were was the only way they could be was shattered. Nor was it likely that any new group of senators would now deliberately grant authority to a group of committee chairmen dominated by southern authority.

Yet the powers once held by the inner club were not, after Johnson, lodged in a new leader; they were simply fragmented to the benefit of individual senators. These senators have since developed a stake in the existing system of leadership. Any change now would entail a transfer of power, a probability that familiar modes of conduct would be changed; the ultimate consequences are uncertain and thus appear as risk. This is precisely why structures of power in the Senate are not codified, but, instead, continually evolve over a long period of time with changes in the nature of the Senate membership. Johnson's rise was exceptional in this regard. The Senate would never have voted to give him the powers of leadership that they so often praised. Nor are they likely to bestow the same powers on any other majority leader or on the position itself. That would require a sense of devotion to the Senate as a whole, which would only be possible in an instiution that was a collective body—that is, in a different institution.

Johnson's system of power and leadership influenced not only the Senate as an institution but national conditions and events. For one thing, he inhibited the development of effective and coherent opposition on domestic issues. There were serious national problems—persisting poverty, inadequate health care, recurrent recession, and unemployment—along with questions of defense policy and for-

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eign affairs. There was debate on this issues, both in the country and, later, during the 1960 presidential campaign. But the Senate was potentially the most important forum for the expression of opposition. It could influence the national dialogue, many of its members were themselves significant political figures, and with a Democratic majority could force a confrontation. Historically, it had often taken this role (congressional opposition during the later New Deal, the great and partly decisive debate over the Marshall Plan, etc.). This does not mean that the Senate could have substituted its policies for those of Eisenhower, but it abdicated the possibility even of stimulating national debate; of influencing, if not decisively changing, the course of events and those administration policies that needed senatorial acquiescence. Yet the days of the Senate's involvement with legislation had been steadily waning even before Johnson, and on the other side of the ledger is the fact that Johnson's leadership was vital to the passage of the first civil rights act since 1867, and in forcing the government to initiate a large-scale space program. And there were other accomplishments. Nevertheless, we must conclude that while Johnson's leadership style—his avoidance of issues and his fear of confrontation—may have increased his power over the Senate, it lessened the influence of the Senate on the country.

Under Johnson's reign, floor debate was substantially reduced in importance, and with it, the role of the Senate in foreign policy. Again we must acknowledge an institutional evolution toward increased executive authority in foreign policy. Yet in the decades before, Congress had felt free to debate—often along partisan lines—to oppose, and occasionally to act against the president's foreign policy. Since then, the felt requisites of unity in the difficult period of the cold war had worked to reduce open debate. But Johnson led in a time of peace, in a time when the Senate might have—as Senator Joseph Clark repeatedly suggested—moved to increase its supply of information without threatening executive authority. But Johnson refused, preferring always to resolve issues by private compromise followed by public agreement, and thus contributed to the general weakening of the Senate's role.

And once the traditional responsibilities were abandoned, there was little move to reclaim them. Because Senate constituencies had little interest in most matters of foreign policy, the most important incentive to action was missing. And the irony was that Johnson's own performance in the presidency would itself be seriously influenced by this weakening of the Senate—by reducing an important check that might well have constrained his decisions on Vietnam in ways helpful to him as well as to his country.

The Presidency

In 1963 Johnson entered an arena vastly different from the Senate. Yet for the first twelve months the circumstances of the transition period and the election allowed him to conduct his presidency in a manner consistent with his previous efforts to acquire and exercise power.

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Upon his succession to the presidency, Johnson confronted a dual problem: he had to guide the country through a traumatic and uncertain moment and work to ensure his nomination at the Democratic Convention, which was only eight months away.

The course he chose to meet the first objective—the theme of continuity—was natural to his character and to the need of his time. Moreover, he was helped in this endeavor by the institutionalized process of succession—established by constitutional and historical precedent—which immediately placed in his hands all the powers, institutional authority, symbolic functions, and impressive trappings of the American chief of state—a transfer that was more than a transfer, but rather a replacement thought so necessary and appropriate that not a single dissenting voice marred the population's unquestioning acknowledgment of its legitimacy.

The circumstances of the public mood even allowed Johnson while in the presidency to assume his accustomed role of the faithful follower—this time of the memory of a dead president. Now, unlike the vice-presidency, where he had nothing to give, he could, as he had done with Russell, provide a significant service (the enactment of the dead man's program) and then reap the rewards that would enable him to consolidate his power.

This was possible because he had come into the legislative cycle at the ideal moment for his particular talents. Kennedy had already articulated the goals—most of the issues on Kennedy's agenda were suspended between formulation and approval—leaving the new president the familiar task of mobilizing congressional support.

Moreover, 1964 was a year of relative tranquillity in foreign policy, while the country itself experienced relative economic stability, and there were no serious or turbulent manifestations of domestic distress. Serious and visible crises would have required him to devote attention to unaccustomed responsibilities. In their absence, the enormous resources and elaborate machinery of the modern presidential institution—bureaucracies, established hierarchies of authority and decision, experts, a White House staff large and specialized enough to exercise some form of White House jurisdiction over every activity of importance and make decisions in his name—could ensure that the activities of government were continued, decisions made, foreign leaders placated, etc., without compelling him to divert his attention to unfamiliar matters or to consider and resolve problems unrelated to his immediate objectives: legislative achievement and election.

In the election, too, the circumstances created an ideal situation for Johnson. He had always sought to avoid campaigns based on divisions over issues, trying instead to focus attention on his performance. Now his performance would be the main issue—a transition performance whose circumstances allowed him to combine a deferential dignity with a dazzling display of effectiveness, which brought first relief, then approval and even admiration from the press and the general public. Indeed, his display of large abilities and presidential stature was so significant that he could, even though he had been in office for only a few

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months, run on the record; and the shortness of his incumbency enabled him to define that record as a demonstration of stature and performance rather than of the substance and directions of his policies, which would obviously be more divisive.

To these conspicuous and influential circumstances was added the nomination of Goldwater, reflecting the culmination of an evolution—a shift part ideological, part geographical—of power within the Republican party. Goldwater's candidacy —his insistence that he was truly ideological, the nature of some of his support for the nomination, and some of his speeches—gave the impression that he wanted to eliminate many of the programs and institutions established in the decades since Roosevelt took office, which had come to be viewed by moderates and many conservatives not as liberal experiments or intrusions but as part of the established order. The same interests who had opposed Social Security and government regulation of business activity had no desire to tear apart a structure they were now accustomed to, had conformed their activities to, and under which, moreover, they were doing better than before.

One can hypothesize a moderate to liberal Republican candidate who could have made a serious issue of Johnson's already expressed intentions and their implication of greatly increased federal activity and spending, who might have accused him of dangerous incapacities in foreign policy, or have debated the Democrtaic party's intention—already manifested by the actions of Kennedy and Johnson—to reverse Eisenhower's refusal to intervene militarily in Indochina; a debate that would have permitted the Republicans to exploit the public's recollection of Truman and Korea and the vague identification of the Democratic party as the party of war. Instead, however, the Republicans nominated a candidate whose campaign imposed upon his candidacy the most serious traditional vulnerabilities of both parties.

This made possible the kind of campaign most congenial to Johnson's own temperament. His election was in everybody's interest: to the conservative, complacent, or fearful, he was the protector of the system; to a people whose enthusiastic response to the Test Ban Treaty had surprised even Kennedy, he was the man of peace who would meet crises with restraint; to the poor and the blacks, he offered not only understanding but a demonstrated capacity for effective action; to the middle class, he could appear as both a guarantor of increasing affluence and, without seeming inconsistent, as one who understood and would try to alleviate many of the sources of middle-class discontent—the state of the environment, pollution, the conditions of urban life. He was under no compulsion to set forth a coherent program, which might have revealed the difficulties of fulfilling such diverse and often conflicting expectations, whose content and potential consequences would have increased opposition. The unusual conditions of political life in 1964 allowed him to rely, instead, on general statements of purpose, principle, and intention. His opponent not only did not challenge him from the middle, but made *himself* and not Johnson's policies the issue (McGovern was to perform a similar service for Nixon in 1972). Johnson was,

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therefore, in the fortunate circumstance of being able to combine elements of the kind that contributed to the disparate appeal of both Eisenhower and Roosevelt.

So everywhere he went huge crowds assembled to greet his arrival, attend his movements through the streets. Millions of people he hadn't met, didn't know, whose motives and interests he had not calculated in order to decide how best to impose his will, cheered, almost screaming, often jumping excitedly, in their enthusiasm at his presence. No advance men or organization could have produced such multitudes or intensities. He had accomplished some significant things, but less than several other presidents, far less than he intended, yet he was hailed as if he were a national conqueror. And even if he didn't understand and only half-trusted it, he couldn't get enough of it, traveling from place to place, descending into every crowd, touching the few he could reach as if to reassure himself it was really happening, and more obviously out of an uncontrollable and understandable exuberance. And who could blame him? It was the closest he could come to feeling loved, and who would not express—in his own manner and to the extent he could—exultance at the unexpected approach toward satisfaction of this universal longing?

The election of 1964, both the victory and its size, changed the nature of Johnson's political constituency. The Democratic party itself was no longer a factor in the exercise of power or its renewal. His election left the party apparatus in his hands, and he would soon move to eliminate any remnants of independent authority or access to resources that the Kennedy White House had left intact. As an incumbent, his renomination, if he wanted it, was assured—or so he had every right to assume, and must have assumed. It was, therefore, no longer necessary to direct efforts or policies to cultivate the support of groups because of their potential influence on the party. Their importance to Johnson now depended on their potential influence on the outcome of a national election, and—of more immediate and pressing significance—on the extent to which they could help or obstruct the achievement of his objectives, mostly the passage of legislation.

After the 1964 election, Johnson found himself in command of an institution very different from the institutional and political settings in which he had spent virtually his entire life, and through which he had pursued his ambitions with enormous, if not uninterrupted, success. He had great powers whose acquisition he could now regard as the consequence of his own abilities and that could, therefore, be exercised for his own purposes. However, it is unlikely that he fully understood the extent of the differences in function and structure between the presidency and the earlier settings for his activity and ambition, nor the extent to which presidential powers were not only greater but of a different nature.

In the presidency, unlike in the Senate, the standards of achievement had to be established in relation to accomplishments external to the presidential institution. Here Johnson's own skill and natural inclination, reinforced by the experience of the transition, led him to establish standards of achievement based on his success in designing and enacting a program of domestic reform. Moreover, insti-

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tutional relationships between the president and Congress required that he must also determine the substance of that program—the general policies and the content of the legislation he would propose. Here Johnson could benefit from the ideas of a liberal tradition institutionalized in his agencies and the Bureau of the Budget, which for twenty years had been proposing legislation that had never passed; now their time had come and they had a ready agenda.

However, neither Johnson's own ambitions and convictions nor the ready agenda would have prevailed under adverse conditions. But in 1965 conditions could not have been more auspicious for domestic reform. Sustained economic growth combined with a relative stability of prices had strengthened a conviction that affluence was inevitable. Moreover, there was still a general desire for the reestablishment of some form of shared national purpose: a sentiment that had formed the theme of Kennedy's successful 1960 campaign. The absence of paramount domestic divisions made it unnecessary for him to take positions that would have aroused the kind of opposition that would have extended beyond the issues themselves to him and his administration. Economic conditions and, even more, established economic expectations made it possible to convince people that the poor and disadvantaged could be helped and that national problems—conditions of urban life, disintegration of the natural environment, transportation facilities, etc.—could be resolved without requiring any group to sacrifice income or significant interests.

Finally, there was the influence of Johnson's own leadership—his natural capacities and unequaled knowledge of Congress, which enabled him to confound the traditional relationship between president and Congress, mixing the two so that both branches were involved in the acts of proposing and disposing. Moreover, the familiar resources of the presidential institution enabled him to provide a great variety of benefits and services tthat would create obligation and various degrees of dependency. Most importantly, as president Johnson could now bargain directly with leaders of powerful interest groups—business executives, leaders of financial communities, union chiefs, the acknowledged spokesmen for minority groups, etc. As president, he could virtually command their presence, allowing him to exert his formidable personal powers. Even more significantly, every important group in the society was affected by the activities of the federal government, especially by the executive branch Johnson commanded. Thus every encounter also involved an awareness—rarely, if ever, expressed—of mutual interest more direct and specific than their shared patriotism and belief in the American dream. Thus Johnson was able to enlist support, or, at the least, mute potential opposition, from those interest groups whose views could influence the decisions of Congress. They were important, not just because of their wealth or numbers, but because there was no member of Congress whose political base was not subject to the influence of one or more of them. As president, Johnson could thus do what he could not do in the Senate—extend his reach to the foundation and source of office.

Of course, without general public support this would have been to no avail.

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But the aspect of consensus politics that made effective performance possible was a consensus among a limited number of special groups, whose leaders could be identified, making possible the personal contact that was the medium through which Johnson could make the most effective use of his personal powers and tangible resources—to persuade, convince, bargain, obligate, or coerce. As long as the objective was congressional action—the passage of legislation—the presidential institution enormously increased the effectiveness of behavior that had been successful in other contexts.

In particular, in the area of civil rights Johnson's legacy is clear: his position on racial issues was more advanced than that of any other American president; had he done nothing else in his entire life, his contributions to civil rights would have earned him a lasting place in the annals of history.

But if the modern presidency permitted Johnson an unparalleled authority in domestic affairs for the successful exercise of his qualities and abilities, modes of conduct and methods of exercising power, it also permitted an equally unparalleled failure when those same qualities and patterns of behavior were applied where all Johnson's talents and skills were not merely inadequate but irrelevant and, even more, counterproductive.

Lyndon Johnson did not create the framework within which his country defined its commitment to South Vietnam. That framework, developed in the space of more than twenty years by three previous presidents and their many advisers, rested on a series of assumptions derived from historical experience: the experience of World War II and the events that precipitated it; the initial confrontations between the Soviet Union and the United States; the fear of making concessions to adversary powers; the identification of the potentially dangerous power—the Soviet Union—with the ideology of communism, an identification which required that any political leader or insurgent chief who called himself a Communist was simply an extension of Soviet power.

Of course, experience was not all so one-sided. We had resigned ourselves to the "loss" of Eastern Europe and China, accepted stalemate in Korea, refused to intervene in Indochina; in other words, had shown that our policies, the underlying convictions, and their sometimes violent expression by leaders such as John Foster Dulles had not destroyed our ability to assess realities, and to accept limits imposed by the calculation of practical possibilities.

But the institutional structure Johnson inherited in 1963–1964 narrowed access to the information and perceptions that might have placed Vietnam in one of the above categories. All Johnson's principal advisers agreed on the critical nature of the goal of a non-Communist Vietnam, on the interpretation of the internal struggle as a struggle against communism, and on the possibility of achieving that goal with gradual escalation short of large-scale war.

Clearly, Johnson's own qualities influenced his initial decision to escalate. In domestic affairs, particularly in the passage of legislation, he was used to grasping practical realities first and then adapting his goals to those realities. But his lack of intimate knowledge about foreign policy and Vietnam led him to rely, in-

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stead, on the goals and principles themselves, losing sight of the question of available means. The failure to ask "Will it work?" was reinforced by a pristine concept of foreign policy as an arena of choice that should be removed from ordinary political consideration. Therefore his means were subordinated to his ends; his ends *became* his means. Lack of experience and confidence also produced in Johnson an unquestioning acceptance of the "experts' " advice, something he would never have accorded to anyone in domestic affairs. Moreover, Johnson's adversary in Vietnam—unlike nearly all his opponents at home—was unwilling to bargain. Even if Johnson had been able to sit down with Ho Chi Minh, there was nothing to talk about so long as the goals of the two countries remained irreconcilable. So, faced with a situation he could not control and an adversary who was unwilling to bargain, Johnson would force him to bargain. And since he could not compel in his usual way—the denial of rewards or necessities—he was forced to act more directly, in this case with the only instrument of compulsion he had: military force. And, given his character, that force would be exercised in graduated degrees (thus avoiding the even more uncontrollable situation of all-out war).

To say Johnson's qualities were expressed in the decision to escalate is not, however, to say that his character caused that decision. On the contrary, in late 1964 and early 1965, as we have seen, all the relevant elements of the governing process moved in the same direction, making it impossible to filter out the particular weight of personality. Indeed, given the momentum, the necessity of choice—since at this point not choosing would have meant turning South Vietnam over to the Communists—and the consistency of advice from almost every corner, it is easy to imagine many other presidents, acting under very different internal compulsions, making the same decision.

The influence of Johnson's personality on the decision making in Vietnam is easier to observe in his conduct of the war—in the decision to conceal its nature and extent from the American people. Here the advice was not unanimous; indeed, most of Johnson's principal advisers recommended a different course from the one Johnson chose, urging him to go to the Congress, declare a state of emergency, and put the economy on a wartime footing. Johnson refused, opting instead to hide the costs of the war in the Defense Department budget, keeping the pretense of a peacetime economy, and letting the public know as little as possible about the nature and extent of the war—all of which he assumed would allow the Great Society to continue on course.

This decision was Lyndon Johnson's decision. It is easy to imagine another president, less concerned with domestic reform, more capable of choosing between goals, less confident of his ability to move in contradictory directions at the same time, less experienced in the arts of secrecy, deciding differently. Indeed, this decision seems almost to sum up the character of the man. The very qualities and experiences that had led to his political and legislative success were precisely those that now operated to destroy him. His tendency to resolve conflict instead of accepting it—responsible for his rise to power and his success in the

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Senate—now led him to manipulate and orchestrate the political process in order to shape a formula that could accommodate both the Great Society and Vietnam. Years of experience in gaining and exercising power had taught Johnson that the leader could move in contradictory directions at the same time so long as he compartmentalized everything he did and kept his dealings with one group secret from those with the next. Finally, the bipartisan tradition in foreign policy, responsible for producing consensus behind World War II and the Marshall Plan, now led to the conclusion that complicated decisions of foreign policy should be left in the hands of the leaders; the people would only be hurt by knowing too much.

As it turned out, however, the people were not hurt by knowing too much; Lyndon Johnson was hurt by knowing too little. The loss of public debate on the war lessened the possibilities of judgment, depriving Johnson of the chance to test various responses to different policies and of the opportunity to dispel misconceptions. Nor, in the absence of any clear understanding of the goals in Vietnam, could he expect to sustain the public's support.

He had hoped that a middle course at home and abroad would secure his place in history as a leader of war and a leader of peace. Instead, halfway measures on both fronts produced a condition of half-war and half-peace which satisfied no one and created resentments on all sides.

Moreover, the failure to increase taxes produced inflation, which produced, in turn, a squeeze on moneys for the Great Society instead of the steadily expanding supply of resources Johnson had originally promised. (At this stage of the Great Society, the difficulties Johnson experienced on questions of implementation were similar in nature to those that plagued him on Vietnam. Here, too, because he was so sure of the ends and because the persons involved in implementing the means were so far away, he underestimated the problems of making his programs work.) Furthermore, diversion from the Great Society was not only a question of economic resources; the war drained time, energy, and attention as well.

As the Great Society crumbled and the war continued with no end in sight, Johnson's popularity began to drop. The effective performer was no longer performing effectively, and once that measure of favorable judgment was gone, there was nothing else on which to base his relations with the people—except all those qualities he had never trusted: public advocacy, personal integrity, credibility.

Gradually, and for almost the first time, Johnson now found himself amid events and men he could not master: Vietnam and the Kennedys, and, later, the press, Congress, and even the public whose approval was all he could experience of love. One could have anticipated the result. As his defenses weakened, long-suppressed instincts broke through to assault the carefully developed skills and judgment of a lifetime. The attack was not completely successful. The man was too strong for that. Most of Johnson—the outer man, the spheres of conscious thought and action—remained intact, for most of the time. But in some ways,

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increasingly obvious to his close associates, he began to crumble; the suspicions congenital to his nature became delusions; calculated deceit became self-deception, and then matters of unquestioned belief.

Moreover, Johnson, was aided—or, more accurately, hurt—in this process of deception by the nature of the institutional relationships around him. The White House itself—as opposed to the Senate—was not manned by individuals with independent political bases and formal authority. Here Johnson was in command, and, expectedly, the coercive aspects of his nature manifested themselves. He could impose his will much more directly upon colleagues—members of his staff and of his cabinet—whose positions and power within the government rested primarily on him. Of course, he, in turn, depended on the abilities of these men, but that meant that the only hold they had was the right to resign. And it was not much of a hold. For Johnson knew that few men easily relinquished their high positions in government. Both Johnson and his subordinates knew that resignation involved forfeiting recognized status and power in return only for escape. Under these conditions, the independence of the cabinet members and of those in charge of the most important White House functions was gradually reduced. The president's will, once expressed, was not challenged. Advisers began to anticipate his reactions before they said or did anything; self-deceptions multiplied in this hall of distorting mirrors. The more Johnson's energies turned to his critics, the more obsessed he became with the need to discredit his opponents, the less anyone tried to stop him.

Nor did the president have to listen to the Congress so long as it continued, out of tradition, habit, and deference, to appropriate funds for the war, and so long as it refused to take a single vote on the war itself. Nor—for three years—did any other external force break through. Surrounded by the White House staff, cocooned in an institutional framework protecting him from the outside world (his schedule, secretaries, planes, and cars), Johnson effectively insulated himself from information he did not want to hear.

But there was a limit to Johnson's insulation and his self-defeating belief in the possibility of turning the corner in Vietnam. The Tet offensive and the presidential primaries changed the framework within which Johnson had to work. Finally, the checks and balances of the political system came back into play.

Forced to confront a precipitous drop in his public standing, a sharp shift in editorial reaction, and the loss of support from key interest-group leaders, Johnson finally accepted the fact that he was in a situation he could no longer control and that further escalation would produce only more uncontrollability. Faced at the same time with loss of love and gratitude on what seemed an irretrievable scale, Johnson had no choice but to withdraw. Nor did he have any choice but to believe, since he had to believe it in order to survive, that eventually his withdrawal would make possible even more control over and more love from history —the only constituency that really mattered in the end.

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Conclusions

Lyndon Johnson's public career, with the exception of a single election defeat, was one of uninterrupted and unparalleled success in the accumulation of power and—although with less consistency—in the use of power to achieve practical results. This implies that varied repositories of public authority share common elements of structure, which are, moreover, relatively resistant to rapid historical change. Our examination of Johnson's leadership proved to be a study not only of particular institutions but of attributes and vulnerabilities which are common to several institutions, and which, therefore, probably derive from the more comprehensive institutional processes of politics and government.

I offer these general observations more by way of suggestion than conclusion, but useful, perhaps, in framing questions that might enable us to understand better the relationship between leaders and the qualities of leadership, events and historical circumstances, and institutional structure. I offer these as only a few possibilities. The reader hopefully will see many more.

First: Different institutions reward different qualities—although what constitutes "reward" depends not only on the institution but upon the nature of the individual leader's ambitions. Neither John Kennedy nor Richard Nixon wanted to become a great Senate leader; to them the Senate was a useful platform, though not the only one possible, to advance their careers. Of equal importance, the abilities and characteristic modes of conduct of both men kept them from attempting to become powerful Senate leaders, and would have kept them from accomplishing such an objective.

Johnson, on the other hand, in psychic nature, modes of conduct, and natural abilities, possessed all the qualifications required by the structure in the Senate as it existed at a particular moment for becoming an enormously powerful leader. The institution rewarded his qualities, and that reward was the object of his ambitions. Of course, he, too, had higher aspirations. But his qualities, forms of conduct, the demands and fears that were an aspect of his nature seemed to foreclose other routes. He had to depend, as he always had, upon effective performance—which meant controlling his institutional environment. He was further restrained by the fact that this performance not only was his means of advancing his ambition but was also an end in itself, and he was not capable of risking it for actions that might seem to enhance his chances for more significant power in another institution.

In fact, the qualities the Senate rewarded were not adapted to the institutional process of presidential nomination nor, probably, to that of presidential election, for it was unlikely that Johnson could have moved from majority leader to election as president on his own.

Not only do institutions reward different qualities, but their demands are often contradictory. The same qualities and capacities that make success probable in one setting may be inconsistent with success in another setting. Johnson was for-

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tunate that conditions in 1964 and 1965 permitted him to use many of the abilities and qualities with which he had mastered the legislative process to conduct his presidency with some success. However, when circumstances changed, these capacities proved ill-suited to the presidency, which was a vastly different institution. He could not lead or inspire the nation by secret deals; he did not understand foreign policy; he could not deal with conflicts taking place in a setting where he could not establish personal detailed knowledge of the problems and the participants; and the same search for control that gave such force and direction to his legislative career caused him now to move toward coercive action and to transform the executive branch into a personal instrument, and a weapon for concealing facts and policies from other branches of government and the people.

Of course, Johnson was unique, as was his career. However, that career suggests that many of the qualities that make for success in the legislative branch—compromise, avoidance of conflict, secrecy, the effort to submerge personal responsibility for success or failure in a collective body, the vision of law as the end of the process, etc.—may be contradictory to those required for effective national leadership: indeed, that a career in the legislative process may inculcate modes of behavior or strengthen existing qualities inconsistent with the nature of the presidential institution. This conjecture, which I believe to be true, is of special importance at a time when the Congress has become a significant platform for presidential candidates.

However, it demonstrates the fact that talent for public life is not a unity, but that there are distinct, often contradictory, talents, which are relevant to success in one area of public life and not in another. This is important in assessing not only whether a leader is likely to achieve his ambitions in a particular setting, but—more significantly—whether his leadership is likely to benefit or damage the country.

Second: Johnson demonstrated hitherto unsuspected powers in the executive branch. There was, as many have observed, a growing evolution toward concentration of power in that branch. However, Johnson did not merely continue this evolution. He gave it a new dimension. Previous evolution had rested on changing circumstances, e.g., federal intervention in economic policy and problems of public welfare, the growing significance of foreign policy, the size of the defense establishment, involvement in war, etc. For the most part, this expanding power was exercised with the knowledge and acquiescence of Congress and the informed public. Johnson discovered that the resources of the presidency allowed him to conceal much of the exercise of power; that presidential authority could be exerted on the basis of undisclosed information and the private interpretation of information; indeed, that in many cases even presidential actions and decisions could be concealed. Of course, the effect of many such decisions would eventually become visible, thus revealing the decision itself. But not all. Moreover, concealment of the decision-making process shut out the opportunity for public discussion that is an essential part of the institutional process in our representative democracy. Johnson's actions became known because they were directed toward

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public goals, their objectives were of a public nature, and, hence, their effects would inevitably be revealed. Nixon illustrated how this power of concealment could be used for other kinds of objectives so that the probability of continuing concealment was increased. The development or discovery of a capacity to exercise substantial executive power in secret is not simply an increase in the power of the presidency; it represents a change in the relationship of institutions within the constitutional framework, a change which, in some part, has the potential of moving the presidential institution outside the framework itself.

Third: This aspect of institutional change, developed under Johnson, and reinforced by the fate of the Nixon administration, suggests that the most effective checks on presidential power are not the institutions that form the constitutional system of "checks and balances." They are the media and public opinion, catalyzed, in Johnson's case, by the presidential primaries. In both administrations these nongovernmental institutions were more effective restraints on presidential actions and usurpations than established governmental institutions.

Fourth: Johnson's career also helps to reaffirm the significance, probably the necessity, of consensus politics to effective presidential leadership. Historically, the only exceptions have been under special conditions—depression under Roosevelt, shifts and growth of population under Jackson—which produced large popular majorities whose interests were opposed to those protected by the dominant structure of economic and political power. Jefferson, after all, moved to placate the Federalists, even at the cost of disappointing some of his Republican followers, while Theodore Roosevelt took steps to placate his business supporters even while establishing a reputation as a trust buster. Johnson, however, showed that consensus could be a foundation for an extensive program of domestic reform even at a time when there were no serious class hostilities nor any economic crisis. That accomplishment requires a modification of what is meant by "consensus," or, rather, a recognition that the term is susceptible to different definitions. Eisenhower's consensus consisted of the fact that a large popular majority was satisfied with his policies, and no substantial proportion of the population was urging him in another direction. Under Johnson as well, there was no significant movement for domestic reform (with the exception, for a time, of the civil rights movement). He himself was the initiating force. Admittedly, the absence of serious division, and favorable economic conditions, made it possible for him to initiate such a program. However, he also saw that consensus did not require him to marshall public enthusiasm and support. He would achieve consensus among groups of special interests and concerns, usually organized and with identifiable leaders, who could influence congressional action directly. And each program required a different kind of appeal to different kinds of groups. By persuading religious and educational associations, he could remove obstacles to a program for aiding education. Certain programs of public welfare required union support and the willingness of business groups to, at least, withdraw opposition. Thus, in a manner similar to the way in which he imposed his will in the Senate, he constructed a consensus from an assembly of particular groups and interests,

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most of them led by individuals with whom he could deal directly. He created an interlocking web of services and obligations. Finally, many were willing to support particular programs about which they had reservations because they believed that, on the whole, Johnson's program was good for them and for the country. It was a pluralistic consensus, an agreement among groups of limited, often contradictory interests. This consensus, Johnson knew, would shape the actions of Congress. Popular support, that other form of consensus, would be a consequence of achievement, not its source.

We cannot determine, however, the extent to which Johnson had developed a method for public action that can be applied in other situations, and how much its effectiveness depended upon his unique qualities and capacities. And of course, events during the last years of his administration showed that even a consensus built on majority support and the desire for action cannot survive serious public divisions.

Fifth: Johnson's career also provides further evidence that the basic qualities of a leader do not change when he assumes new and larger responsibilities. It is more a metaphor than an accurate description to say, for example, that a man "grows" in office. Of course, individuals do learn from experience—some better than others, and some become more skillful. But basic abilities, ambitions grounded on inner needs, modes of conduct, and inclinations of behavior are deeply and permanently embedded. It may be that these qualities cannot be displayed in a particular setting, or are not suited to achievement within a particular institutional framework and/or under certain historical conditions; yet in another place they can be the basis of accomplishments and actions that others would not have anticipated. One thinks of Truman. Or it may be that the widened constituency of the presidency allows a broadening of goals. Yet, while Johnson's landslide victory did stretch his aspirations, it did not change the essential elements of his behavior. Even his possession of the most powerful office in the country did not diminish his need to extend control or increase his capacity to deal with certain kinds of conflict or resistance. All his newly acquired ability to command did not reduce his drive to coerce. And under the right conditions, these qualities, which many had seen in him previously, were bound to emerge. And just as great office could magnify, if not change, his strength, so it could disastrously extend the consequences of his flaws. So, too, we discovered that the new Nixon was the old Nixon with much more power.

Therefore the best evidence of what can be expected of a candidate for high office—especially the presidency—can better be found in an examination of his pattern of activity at other stages of his public life than in his statements or goals, and particularly in situations of stress, when he was confronted with difficult decisions that were bound to affect his ambitions, his leadership, and his concept of himself.

Sixth: The dilemma of the modern presidency is not as simple as the contemporary talk of the imperial president suggests. Admittedly, the presidential institution has widened in power, as has the capacity of the president to concentrate

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that power in his own hands—a consequence less of tyranny than of the steady weakening of the various institutions designed to check the president—the cabinet, the Congress, and the party. But the same centralization of resources that allows an almost unconstrained initiation of policies in some areas (the making of war and peace) and the exercise of almost unilateral authority in others (the dropping of bombs) incapacitates implementation of both domestic and foreign programs and eventually weakens the president's ability to lead. With a weakened cabinet, the president has less chance of controlling his vast bureaucracy; with a shattered party and diminished Congress, he is unable to command that restrained public support essential for the continued viability of both his policies and his leadership. Thus the concentration of resources is at once enabling and constricting; the analytical problem is to understand not only where the president is too strong but also where he is too weak; to delineate what is meant by strong and weak and to describe the curious relationship between the two.

Seventh: The president's ability to focus national attention upon his every word and deed—which is made possible, and almost inescapable, by the nature of the national media—is a source of both power and illusion. And the same can be said of the enlarged White House staff and the use of a technological apparatus unparalleled in history. For five years, between 1963 and 1968, Lyndon Johnson dominated public life in Washington to such an extent that the cabinet was *his* cabinet, the Great Society *his* program, the Congress *his* instrument. With every technological innovation at his disposal, he could tape his own television shows, tell his pilots ten thousand miles away where and when to bomb, talk with the Soviet premier on a moment's notice, and fly around the world in less than two days. But the man in the center when things are good remains in the center when things go bad, and the resources technology provides are often illusory, substituting the sense of control for real control. Thus the war in Vietnam became Lyndon Johnson's war; he personally was dropping the bombs, disrupting the economy, making prices rise, setting back the progress of black and poor. Obviously, neither image—villain or hero—is valid; historical circumstances and institutional conditions were vital to both success in the Great Society and failure in Vietnam. And this understanding is of more than intellectual interest, for exaggeration of the president's personal powers (both self-induced and media propelled) is an inevitable source of frustration as the president's actions invariably fall short of expectations, producing a destructive cycle for the man, the office, and the nation.*

* This article is based primarily on extended conversations I held with Lyndon Johnson about his childhood and his political career and on Johnson's personal papers.

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American Opinion on the Use of Military Force Abroad

BRUCE RUSSETT
MIROSLAV NINCIC

Public opinion in the United States is now much less favorably disposed toward the use of American military force abroad than at any time since the beginning of the cold war. In part this indisposition stems from the American failure in Vietnam, but it is also a result of partial East-West detente and other changes in the world at large, and in America as well. Nevertheless, the reasons for this change are not well understood, nor are the characteristics of present attitudes well documented. Little systematic comparison has been made with attitudes in earlier periods; there is insufficient appreciation of important differences in the places and circumstances under which the use of force might be approved; and there is insufficient understanding of differences in attitudes among various parts of the population. Here we try to begin to fill these gaps, using systematic public opinion survey data gathered at various points over a period of nearly forty years.

This is not a report on public attitudes toward "involvement" in international affairs generally, or on a variety of important topics such as attitudes toward China and the Soviet Union, detente, arms control, or foreign economic assistance. Material on these questions is available, but the pattern of response is complex and often quite different from that on the use of military force.[1] Rather,

[1] For example, on the question, "Do you think it would be best for the future of this country if we took an active part in world affairs, or if we stayed out of world affairs?" a March

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this article is addressed more narrowly to approval of the use of American military forces to defend other nations: As different parts of the American public see it, *who* should be defended, from *what kind* of attack, by *what means*? Three specific aspects will be discussed:

1. A comparison of responses to similar questions at different points in time, especially comparing recent attitudes with those expressed in the 1950s and immediately before World War II
2. Differentiation of attitudes according to (a) the country at issue, (b) the type of attack hypothesized, and (c) different instruments of national security policy that might be employed
3. A discussion of differences of opinion within various segments, elite and mass, of the population

The discussion will concentrate almost exclusively on public opinion itself, rather than on broader questions of the relation of that opinion to actual policy formation and execution in the government. That is, we will *not* assume official American policy will simply reflect the majority opinion of the total populace at any particular time, nor make any simple assumptions about just what the relation between mass opinion and official policy might be. That is a fascinating but very complex matter not easily explored by the standard techniques of empirical social science. Toward the end we shall make a few brief and tentative comments on the matter, but no more. Finally, it should be stated explicitly that this is a report on some available evidence, much of which emerges in a form that is a surprise and occasionally a source of distress to the authors; reporting that *evidence* in no way should be taken as an expression of the authors' *opinion* about what United States foreign policy "ought" to be.

Now and Then

Since so many sweeping comparisons are made about the relation of "isolationism" in contemporary America to the mood prevailing in the years before World War II, it should be useful to make some systematic comparisons. For example, questions about what other countries should be defended from attack have been asked repeatedly of national samples both recently and in the period immediately preceding American entry into World War II. Table 1 presents those cases where the same country is referred to in both periods. Not surprising-

1973 survey found the percentage saying "active part" still a clear majority (65 percent) but at the lowest point since World War II (*Current Opinion*, April 1975, p. 30). However, the percentage favoring foreign economic assistance to less developed countries has risen: 51 percent in 1958, 58 percent in 1966, 68 percent in 1973. See Paul A. Laudicina, *World Poverty and Development: A Survey of American Opinion* (Washington, D.C., 1973), p. 31. For further explication of these complexities see Bruce M. Russett and Elizabeth C. Hanson, *Interest and Ideology: The Foreign Policy Beliefs of American Businessmen* (San Francisco, 1975), chap. 3.

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TABLE 1

*Approval of Use of American Troops to Defend Various Countries, 1938-1941 and 1969-1975**

Country Subject to Attack	*Pre-World War II*				*1969–1975*		
	Nov. 38	*Nov. 39*	*July 40*	*July 41*	*April 69*	*April 71*	*April 75*
Canada	73%	74%	88%	86%	57%	N.A.	57%
Mexico	43	54	76	85	52	45%	42
England[a]	28	N.A.	N.A.	51	N.A.	38	37
Philippines	46	54	65	60	30	N.A.	29
Brazil	27	37	55	N.A.	34	16	15
Indonesia[b]	N.A.	N.A.	17	46	20	N.A.	N.A.
Malaysia[c]	N.A.	N.A.	N.A.	42	20	N.A.	N.A.
Sample size *(n)*	5,171	5,244	2,590	5,244	1,561	1,518	1,599

SOURCES: Pre-World War II surveys are Roper surveys for *Fortune* # 3, 12, 19, and 27 courtesy of Roper Public Opinion Research Center. The 1969 survey was by Louis Harris and Associates, partially reported in *Time*, May 2, 1969, p. 16; additional data supplied by Louis Harris and Associates and Professor Charles Doran of Rice University. The 1971 survey is by American Institute of Public Opinion, reported in Albert H. Cantril and Charles W. Roll, Jr., *Hopes and Fears of the American People* (New York, 1971); 1975 survey by AIPO, reported in *Current Opinion*, June 1975, p. 56.

* Questions in November 1938 to July 1940 were: "If a major foreign power actually threatened to take over . . . by armed invasion, would you be willing to see the United States come to its rescue with armed force?" July 1941 question first employed a map with large areas delineated, asking "for each area whether you would be willing to defend all of it, part of it, or none of it with armed forces if Germany or her allies tried to take it." For those answering "part," they were then asked about specific countries. Above includes all respondents prepared to defend all of each area, plus those identifying the relevant country as part they would defend. April 1969 asked, "If . . . were invaded by outside Communist forces" whether respondent would favor American action with "U.S. armed forces," "military and economic aid," or "stay out." The 1971 and 1975 surveys posed the event where " . . . is attacked by Communist backed forces" and offered choices of "send American troops" or "send military supplies but not send American troops" or "refuse to get involved."

[a] Labeled Great Britain in 1941.

[b] Labeled "Dutch Possessions in the Orient" in July 1940 survey; "Dutch East Indies" in 1941.

[c] "Singapore" in July 1971.

ly, there are some differences in wording and in labeling the countries in question, but probably not enough to affect the results markedly.[2]

Despite variation in response within each of the two periods (1938–1941; 1969–1975), the greatest difference in results is *between* the two periods. In fact, in a number of instances, the highest percentage of Americans willing to use American troops in defense of any of these countries in the recent period is *lower* than the lowest such percentage in the earlier period. While the size and

[2] For samples of this size, due to sampling error differences of less than 5 percent from one survey to another are generally not statistically significant at the .01 level; where sampling procedures or question wording differ the 5 percent spread should be widened.

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TABLE 2

Percentage Favoring Military Action in Case of Soviet Attack on American Allies in Europe *

1949–1955					1970–1974		
Oct. 49	*Jan. 50*	*Apr. 54*	*Jan. 55*	*Nov. 55*	*Sept. 70*	*June 72*	*Dec. 74*
50	52	51	44	44	51	52	39

SOURCES: Early surveys are by National Opinion Research Center courtesy of Roper Public Opinion Research Center; 1970 survey is in Louis Harris and Associates, *The Harris Survey Yearbook of Public Opinion* (New York, 1971), pp. 86-87; 1972 by AIPO, William Watts and Lloyd Free, *State of the Nation* (New York, 1973), p. 281; and 1974 by Louis Harris and Associates, reprinted in John Reilly (ed.), *American Public Opinion and U.S. Foreign Policy 1975* (Chicago, 1975), p. 18.

* For question wording 1949-1955 see text. The 1970 question was: "Do you feel if each of the following happened it would be worth going to war again or not?" and the item referred to here is "Western Europe were invaded by the communists." The 1972 question asked for agreement or disagreement with the statement, "The United States should come to the defense of its major European Allies if any of them are attacked by Soviet Russia." The 1974 question asked whether, "if Western Europe were invaded" respondents would "favor or oppose U.S. military involvement, including the use of U.S. troops." "Don't know" responses averaged 10 percent in the 1970s. Sample size varies from 1,200 to 1,800.

consistency of these differences is striking, one should *resist any temptation to conclude too quickly that Americans necessarily now are more reluctant* to use military force than before World War II. Most of the data points here are after the outbreak of the war in Europe, and after the depths of isolationism had been passed. Unlike the present era, this was a period of widespread hot war on two continents; invasion of many of these countries was indeed an immediate threat. As the war progressed, the percentage of the populace prepared to defend foreign countries rose pretty consistently. The one prewar poll (November 1938) shows results somewhat more like those of the 1970s. Also it is important to be aware that the 1969–1975 surveys offered options of "troops" or "supplies but not troops," whereas the 1938–1941 surveys asked only for a yes or no on the use of American "armed force." The latter forced choice is sure to have inflated the percentage approving the use of force over what would have emerged from the more nuanced question of the 1969–1975 period.

Nevertheless, the recent results *are* low. This roughly parallels data on public attitudes toward military expenditures. Surveys since December 1968 have consistently found that 40–50 percent of the populace want to reduce military spending, as compared with 5–20 percent in 1937–39.[3]

While not applicable to the pre-World War II period, there is one other relevant set of trend data. In the early years of the cold war the following question was regularly asked: "If one of our allies in Western Europe were attacked by

[3] Bruce M. Russett, "The Americans' Retreat from World Power," *Political Science Quarterly*, 90, No. 1 (Spring 1975), 1–21; also John Rielly (ed.), *American Public Opinion and U.S. Foreign Policy 1975* (Chicago, 1975), p. 16.

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the Russian army, do you think the United States would be justified in using atomic bombs against Russia?" (For the 1954 and 1955 surveys discussed below, the question changed to "using hydrogen bombs against Russian cities.") As will be apparent from Table 2, the 1950s results are not very different from the percentages who would be prepared to defend Western Europe in the early 1970s, but there was a substantial drop by 1974. Moreover, there is a further difference on closer inspection. The 1970s questions did not specify the use of nuclear weapons, but merely referred to "going to war," unspecified means to "come to the defense" of Europe, or "use of U.S. troops." Asked specifically, "Could you conceive of *any* [our italics] situations in which nuclear war would be necessary, or not?" immediately following the item in the 1970 questionnaire, only 26 percent of the sample could do so. And as we shall see below (Table 3), in a 1969 survey the percentage ready to use *nuclear weapons* for the defense of other countries was very low, varying from 17 percent to 2 percent depending on the country at issue. The rise of the Soviet Union to nuclear parity with the United States has surely made a difference to many Americans' thinking.

Selectivity According to Type and Location of Attack

Warnings against the uncritical reading of percentages from public opinion surveys are very common, and appropriate. Responses are heavily influenced by transitory factors such as question wording, salience of an issue at the moment, the position (or absence of a position) by government and opinion leaders, and respondents' mood. An individual who disapproves of a hypothetical course of action when asked his opinion by a pollster may react very differently if the president of the United States actually initiates or proposes the action. We cannot predict from these figures whether a majority of the American public would, in a crisis situation, approve or disapprove a particular (and probably highly nuanced) American action in support of a country being attacked. Nevertheless, survey data can be useful, if interpreted carefully, for uncovering changes in opinion over time—especially when similar questions are repeatedly employed—and for differentiating the *relative* levels of support for different kinds of responses to different kinds of events. We turn now to a more intensive look at those questions that have on a number of occasions presented respondents with a list of countries which might conceivably be subject to attack. We shall use the answers to suggest what kinds of countries people are most willing to see defended. We shall also see how the answers vary according to the type of threat postulated, and the nature of the American reaction suggested.

We can begin with Table 3. It shows responses to the longest such list of countries—twenty-one—employed in a single survey, and also distinguishes responses according to three different possible American reactions. The question is that referred to in the April 1969 column of Table 1; it becomes important to note here (as it was not in that table) that responses approving use of "U.S.

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TABLE 3

Percentage of United States Respondents Favoring Various Kinds of Military Actions in Support of Different Countries If Attacked

Country	*U. S. Troops, Nuclear Weapons, or Military and Economic Aid Only*	*U. S. Troops or Nuclear Weapons*	*Nuclear Weapons*
Canada	74	57	17
Mexico	70	52	15
Bahamas	59	43	7
West Germany	54	38	7
Brazil	47	34	6
South Korea	47	33	5
Philippines	43	30	3
Japan	39	27	5
Italy	38	27	5
Taiwan	38	26	6
Finland	37	25	5
Israel	36	14	4
Thailand	36	25	5
Bolivia	36	25	6
India	33	22	4
Ethiopia	32	22	4
Kenya	30	21	4
Malaysia	29	20	4
Indonesia	29	20	4
Yugoslavia	23	15	3
Romania	20	13	2

SOURCE: April 1969 survey as reported in Table 1.

armed forces" were divided according to whether or not the respondent would approve the use of "nuclear weapons." In the third column we have listed the percentage who would approve American use of nuclear weapons, and the second column indicates that number plus the additional number who would approve the use of American troops but without the nuclear option. The first column indicates the number who would employ American troops or at least approve sending military and economic assistance if not troops; that is, the total who would approve some form of American assistance to the country if it were attacked. As should be apparent, the variation is very great, ranging from Canada and Mexico to Yugoslavia and Romania when the differentiation is by country, and sometimes dropping by as much as 30 percent intervals according to the type of action contemplated. And while the rankings of various countries are similar for each of the three instruments, there are some changes worth analyzing.

In an attempt to sort out these differences, we employed a standard statistical method, multiple linear regression, using characteristics of the countries as attempted predictors and approval of the three action categories as responses to be predicted. The following were the predictor characteristics:

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1. Distance from the United States, measured by distance from the nation's capital city to Washington, on the hypothesis that people would be more ready to defend countries closer to the United States (where the threat to America would seem more immediate). We might alternatively have measured border-to-border distances, or from geographical center to center, but given the great distances involved in most cases such alternatives would not affect the results in any important way.

2. Economic importance to the United States, measured as a country's total trade (exports and imports) with the United States. Hypotheses about the relation of economic interest to foreign policy and military involvement are too common to need argument. An earlier exploratory study[4] did suggest some evidence that both the credibility of a deterrence promise, and a nation's readiness to carry out the promise, were positively related to the strength of economic linkages. Of course economic linkages may be closely associated with other kinds of international bonds of communication and common interest; economic interest alone may not be the operative variable.

3. A measure of sociocultural "distance," on the hypothesis that people will be more willing to fight to defend countries that have a way of life similar to their own. Here we used a composite measure of such "distance" that was devised by the first author in earlier research. It weights equally four different dimensions of society derived by factor analytic techniques: economic development, land-use patterns, a political system dimension, and a religious culture dimension. The measure of sociocultural "distance" between the United States and each of the twenty-one countries comprises the sum of absolute differences between their scores on each factor. While such a measure is unavoidably arbitrary in some degree, this one has been extensively validated and the basic pattern confirmed in studies by a variety of researchers.[5]

4. A measure for type of political system, on the hypothesis that, perhaps especially after past experiences, Americans will be more ready to fight in defense of countries whose governments are perceived as both non-Communist and reasonably representative of the populace. We thus coded all countries in one of these categories, using the results as dummy variables in the regression: Communist countries (Yugoslavia and Romania); parliamentary democracies; and non-Communist but nondemocratic regimes (major electoral system irregularities or major violations of civil liberties). This overlaps in part with the political dimension of number 3, above, but seems important enough to warrant separate examination.

5. Presence or absence of a formal military alliance with the United States, coded as a dummy variable.

[4] Bruce M. Russett, "The Calculus of Deterrence," *Journal of Conflict Resolution*, 7, no. 2 (June 1963), 97–109; reprinted as chapter 12 of Bruce M. Russett, *Power and Community in World Politics* (San Francisco, 1974).

[5] Bruce M. Russett, *International Regions and the International System* (Chicago, 1967), chaps. 2, 3.

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Table 4 presents the results of the three equations. The first column identifies each of the predictors, the second lists the unstandardized regression coefficient (b) for each predictor, and the third shows the partial correlation coefficient (r) for each predictor when all the others are held constant. The b's indicate the percentage change in each response category associated with a "unit" change in each of the predictors. For example, as we have measured it, a unit of geographic distance corresponds to approximately 100 miles; according to the first equation for every 100 miles distant a country is from the United States the percentage of respondents willing to provide help of some sort decreases by .28. The basic unit of trade is $1 billion. For the political system variables and alliance the unit is simply presence or absence; e.g., existence of an alliance with the United States increases by 6.49 the percentage of the population willing to provide help. In the case of sociocultural distance, an abstract measure, the unit is not easily interpretable.[6] Most readers will probably find the partial correlations to be the more useful statistic. In parentheses after the b's we indicate those coefficients that can be considered statistically significant at various levels of significance. Without taking the notion of statistical significance literally here, the reader may find this useful for identifying influences making a relatively important contribution to "explaining" variation in responses about military support. Beneath each section of the table is given the R^2, or the percentage of the variation in the responses that is accounted for by all the predictors together.

Looking first at the equation for help of some sort, clearly the major contribution is made by *geographical distance* (the closer a country is to the United States, the greater the readiness to assist it), followed by regime type and presence of an alliance with the United States. Both types of *non-Communist regimes* are favored over countries with Communist governments (even relatively independent ones like Yugoslavia and Romania), but *democratic* governments are *not* especially favored. Remember too that 20 percent or more of the population is ready to give assistance to any of the twenty-one countries should they be attacked.

In the second equation, representing readiness to employ American military forces, both geographical distance and regime type recede somewhat (though with alliance they remain important), and trade links with the United States gain slightly in importance. And at the highest level of commitment, a readiness to use nuclear weapons as in the third equation, *trade* volume becomes a substantial predictor, behind geographical distance.

[6] In general, data were quite complete and the need for coding judgments was minimized. Coding of regime type was carried out independently by the two authors, and the only two differences then reconciled on the basis of published analyses of these countries' political systems. Trade data for the Bahamas, and measures of sociocultural distance for the Bahamas, Ethiopia, and Kenya, had to be estimated. We have omitted many technical details here. Information on our statistical estimation procedures, and the complete data set, are available from the senior author.

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TABLE 4

Predictors to American Public Willingness to Extend Various Kinds of Assistance to Attacked Nations

	Regression Coefficient (b)	*Partial Correlation*
Equation 1: Help of Some Sort (U.S. armed forces and military and economic aid)		
Trade	0.40	0.25
Geographical distance	−0.28 (a)	−0.55
Sociocultural distance	−1.21	−0.16
Democracy	16.70 (b)	0.48
Non-Communist, nondemocracy	15.27 (b)	0.46
U.S. ally	6.49 (c)	0.41
	R^2 = .82	
Equation 2: U.S. Armed Forces with or without Nuclear Option		
Trade	0.40	0.28
Geographical distance	−0.20 (b)	−0.49
Sociocultural distance	−1.13	−0.17
Democracy	10.71 (c)	0.36
Non-Communist, nondemocracy	10.88 (c)	0.38
U.S. ally	5.74 (c)	0.41
	R^2 = .78	
Equation 3: Troops with Nuclear Option		
Trade	0.20 (c)	0.42
Geographical distance	−0.08 (a)	−0.52
Sociocultural distance	−0.31	−0.13
Democracy	2.83	0.29
Non-Communist, nondemocracy	2.96	0.30
U.S. ally	1.10	.24
	R^2 = .77	

NOTE: The parenthetical information in the first column refers to significance levels: (a) $p < .025$, (b) $p < .05$, (c) $p < .10$.

In none of the equations does *sociocultural distance* seem to make anything but the most trivial difference. To check whether our measure of sociocultural distance might be at fault we found an independent measure of a kind of perceptual "distance." In two recent national surveys,[7] respondents were asked to rank various countries "from the highest position of 'plus 5' for a country you like very much, to the lowest position of 'minus 5' for a country you dislike very much." The results for those countries included both in our equations and in the "liking" surveys are reported in Table 5, as for comparative purposes,

[7] American Institute of Public Opinion, April 1973, reported in *Gallup Opinion Index*, June 1973, pp. 14–24 and National Opinion Research Center, March 1974, reported in *Current Opinion*, September 1974, p. 103.

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TABLE 5

*"Liking" Scores for Various Countries from National Surveys, and Measure of Sociocultural Distance Used in Equations**

Country	"Liking" Scores		Sociocultural Distance Measure
	1973 Survey	1974 Survey	
Canada	332	351	1.60
West Germany	189	N.A.	3.84
Italy	160	N.A.	5.07
Israel	N.A.	142	5.46
Brazil	N.A.	135	4.90
Japan	134	112	6.45
China	−09	−59	9.28
Russia (Soviet Union)	−115	−70	7.10
Sample Size *(n)*	1,500	1,484	

*"Liking" scores are calculated by multiplying each scale score (from +5 to −5) by the percentage of the population assigning that score; no opinion and no answer responses are igrnored. A number of countries—largely in the middle range of scores—are omitted because they are not relevant to this analysis. Sociocultural distance measure is from Russett, *International Regions*.

are results for China and the Soviet Union (Russia). While no one should take too seriously the rather casual impressions likely to be tapped by such a question, the results agree surprisingly well (inversely, of course) with our measure of sociocultural distance (column 3). More important for our purposes, they confirm that even subjective or perceptual differences in "distances" are not very efficient predictors of readiness to provide help in case of attack. In the Table 3 data for the latter, Brazil consistently ranks above Italy, and Japan ranks about with Italy and Israel (for conventional force much above Israel).

Overall, the results indicate that popular willingness to provide assistance is *highly structured* according to a few, perhaps implicit, criteria. Approximately four-fifths of the variance is accounted for in each of the three equations.[8] Other results may be summarized as follows:

Geographical distance is the most powerful predictor at all levels of commitment.

In these 1969 results, at least, people did *not* systematically prefer *democratic* governments as beneficiaries of American military involvement. This probably dates from the cold war dichotomization of regimes between Communist and non-Communist, disregarding differences within the latter group.[9]

[8] This incidentally, is nearly .10 higher than a previous effort that, among other differences, did not include regime type as a predictor. See Charles Doran, "A Theory of Bounded Deterrence," *Journal of Conflict Resolution*, 17, no. 2 (June 1973), 243–270.

[9] This distinction *may* have become more meaningful by 1975. In his testimony to the Senate Foreign Relations Committee on September 10 (p. 4), Louis Harris reported that by a 67 to 20 percent majority Americans believed "we should not again commit American lives to the

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Trade ties, while unimportant at low levels of commitment, become increasingly so as the level of commitment *rises* to use of American military forces and ultimately nuclear weapons. Since American direct investment abroad by country is highly correlated ($r = .73$) with American trade, it seems likely that a general dimension of economic linkage is at issue here—though perhaps compounded with broader links of communication as suggested above, because the man in the street is unlikely to have detailed information on trade. But whether or not one believes that economic ties cause such a public willingness to use force, the data indicate that *if* American elites wished to use force, popular support for the action would be greater with the degree of American economic involvement in the country.

Formal *alliance* commitments become quite unimportant at the highest (nuclear) level of assistance, and are superseded by economic linkages. Interpretation of the last equation, however, should be careful and tentative. There is relatively little variation in the responses (only from 2 to 17 percent), and the statistical results are heavily influenced by the two exceptional cases (Canada and Mexico with scores of 17 and 15 respectively, with all others at 7 percent or below).

We also have some data on public willingness to use "armed force" to defend various countries in 1940–1941, with the questions as given for Table 1. There are some serious problems with such data, both in comparability between surveys and in measuring the predictors. Nevertheless as an experiment we did run the exercise on a total of eighteen observations from the two surveys combined (four countries were used in both surveys, and thus are double counted in the eighteen). While we are too skeptical about the quality of the results to dignify reporting the equation in a table, it may be worth reporting the very great importance we seemed to find for geographical distance (partial $r = .73$)—even more important than in any of the 1969 equations. Perhaps the American public now has a more complex image of other countries and their importance than it did in 1940–1941. Other predictors applicable to that period (sociocultural distance, despite some measurement problems; trade; and a somewhat different regime type variable—independent democracy or not, since many of the observations were colonies as well as nondemocracies) were unimportant except, in a small way, regime (partial $r = .55$, with independent democracies favored).

Returning to the 1969 equations, it will be useful to look at the results for specific countries. The regression equation gives us a "predicted" level of support for each country that we can compare with the level observed from the opinion survey. A comparison of observed and predicted levels allowed us to

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defense of corrupt governments abroad." Yet a 51 to 32 percent majority also agreed that "sometimes the U.S. will have to back governments we don't like because a communist takeover would be worse."

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see which countries were "unexpectedly" high in public support and which were low, and to suggest, in a post hoc fashion to be sure, what additional influences may be operating.

Mexico, the Bahamas, and Canada (especially Mexico) were consistently and fairly substantially "underpredicted." Rather obviously, great closeness to the United States exerts an even more important effect than a simple linear measure of miles would suggest. Of the other countries markedly underpredicted by the equations, nearly all—South Korea, Indonesia, Philippines, and, for the first and third equations, Taiwan—had been subjected to some sort of major Communist attack, coup attempt, or insurgency before the time of the survey. Where local determination to resist has previously been demonstrated to the American public, and/or where the United States itself has intervened vigorously to support that resistance (e.g., Korea), the American public is especially ready to grant assistance.

One other poorly predicted case is of some interest: Israel, especially in the second equation for military force, where it emerges as a very badly "overpredicted" case. The survey found only 14 percent of the population ready to use American forces in Israel's defense—the second lowest figure of all for American forces—whereas the equation "predicted" 25 percent. Partly this may be due to the phrasing of the question, where for this one instance the standard question wording seems to have been changed to, "if it looked as though Israel would be overrun by the Arabs with Russian help" less threatening to Americans, possibly, than "being attacked by Communist-backed forces." Nevertheless, the 1971 and 1975 surveys referenced in Table 1 also mentioned Israel, and they found the percentages even lower for American troops to Israel (11 and 12 percent respectively). The most important reason for Israel's low rating probably stems from a genuine fear that in this case, particularly, the United States would risk being drawn into a wider war with the Soviet Union if it were to employ its *own* military forces directly in Israel's defense. In the 1969 survey Israel's score for help including military and economic aid was just a little below that for Japan (36 rather than 39 percent) but rose in the 1971 and 1975 surveys (55 and 54 respectively for Israel and 51 percent in both for Japan). Similar questions in several other surveys show roughly half of Americans ready to send military supplies, but not necessarily American troops, for Israel's defense.[10]

Our major regression analysis was based on a 1969 survey, a year which coincided with intense public disillusion with the Vietnam war, and with foreign military commitments in general. An April 1975 survey, however, listed thirteen countries as possible recipients of American assistance. While that is too small a sample of countries to perform a new regression analysis on, we can use the equation derived from the 1969 analysis to try to "predict" what the

[10] Louis Harris, "Oil or Israel?" *The New York Times Magazine*, April 6, 1975, p. 21ff., and *Roper Reports*, special report, September 1975, p. 4. Other problems with the 1969 data on Israel compel caution in interpretation.

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1975 results would be. That is, using similar measures (distance, trade, etc.) to characterize the countries, and the same coefficients for each measure as given in Table 4, we can "predict" the percentage of the population that would be willing to render assistance. We can then, in Table 6, compare our "prediction" with the results actually observed from the 1975 survey. On the average, we have underpredicted by less than 6 percent. While this indicates a small increase over the 1969–1975 period in public willingness to extend help, the basic stability in this willingness—both in overall level, and in the relative ranking of various countries—is remarkable.

Seeing this stability, we then attempted to predict the percentage of the American public who would have agreed to send help of any sort to Angola—a country which at the time of writing this article was of special importance in international politics. Inserting the appropriate measures for Angola into the equation, we estimated that only 33 percent of Americans would agree to such help, even in response to an "attack" (as contrasted with an "indigenous insurgency"). Awareness of the thinness of this public support might have enabled the American administration to avoid inviting a damaging public defeat in Congress.

Finally, it makes a very great difference whether a country is perceived as "attacked by foreign communist forces" or subject to "a serious insurgency movement led by an indigenous communist movement." This question was asked in April 1973 of a special sample of vice-presidents of the largest industrial and commercial corporations in America, and of a sample of senior mili-

TABLE 6

Predicted and Actual Percentage of Americans Willing to Extend Help of Some Sort in Response to Attack, April 1975

Country	*Percentage Predicted from Table 4a Equation*	*Actual Percentage in Survey*	*Difference*
Canada	80	76	4
Mexico	59	67	−8
England	55	67	−12
West Germany	55	59	−4
Japan	49	51	−2
Brazil	49	48	1
Turkey	46	38	8
Israel	38	54	−16
Taiwan	35	35	0
Philippines	34	63	−29
Thailand	34	42	−8
Saudi Arabia	34	34	0
India	29	41	−12

NOTE: Sources and question wording given in Table 1. Trade and political system data are updated from those used in analysis of Table 4.

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TABLE 7

Percentage of Senior American Business Executives and Military Officers Who Would Approve Use of American Troops to Fight External Attack or Indigenous Insurgency, 1973

	Military		*Business*	
Country	*Attack*	*Insurgency*	*Attack*	*Insurgency*
Mexico	95	53	78	33
West Germany	92	37	51	15
Brazil	71	17	45	11
Japan	80	21	37	8
Thailand	33	10	7	2
Yugoslavia	8	1	4	1
India	5	1	6	1
Sample Size *(n)*	621		567	

tary officers enrolled in the five war colleges.[11] Table 7 shows the percentage of each group prepared to use American military forces in either event. While the proportions who would approve the use of troops are not too low (and higher than among the general public, as we shall see below) in the case of an external attack, there is in no case for business executives, and only for Mexico among military officers, a majority ready to use American troops to fight an indigenous insurgency. Depending on the country in question, one-quarter to one-half as many people would use American troops to combat an insurgency as would use them against an attack. Discrimination on this point seems to have sharpened considerably since the Harris survey in 1969, when the figure for insurgency was two-thirds that for attack.

Who Supports Assistance?

Although one man may have one vote in a democracy, in no political system is the influence of each citizen exactly the same. Speaking generally, people of higher income, education, and professional status are more likely to vote, to try to influence others, to be able to make persuasive public statements, to make campaign contributions, and otherwise to be politically active. Thus it is essential, in making even the crudest assessment of the impact of public opinion on governmental policy, to have some idea of the distribution of opinons within a population. Table 8 begins the investigation with a comparison of three different kinds of samples and their attitudes on aiding specific countries. The first two columns represent data for the senior military officers and business executives, samples discussed in conjunction with Table 7. While not official policy makers, these certainly represent an "elite" group of special potential influence. (No acceptance of "power elite" theories is required for an attribution of

[11] Russett and Hanson, *Interest and Ideology*.

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some special influence.) Column 3 represents the responses of people polled in a national survey conducted *by telephone*. While certainly not any kind of "elite" sample, it is well known that telephone survey samples regularly underrepresent low-income, poorly educated people who may not have ready access to a telephone. Thus the sample is inevitably composed of people with a somewhat higher average status than is the case with personal interview surveys conducted on national samples by the large professional survey organizations. Three such surveys are represented in columns 4–6.

Two conclusions emerge. First, higher-status individuals are generally more willing to come to the aid of other countries than are average members of the public. With only a single and trivial exception, this is true for *all* comparisons of elite with mass samples in the upper half of the table, for sending help of some sort. It is also true for all comparisons of telephone respondents with the

TABLE 8

Comparison of Elites and General Public Readiness to Send Help to Countries If Attacked

	Elites (1973)		*Telephone Respondents*	*General Public*		
Country Attacked	*Military (1)*	*Business (2)*	*(1973) (3)*	*1969 (4)*	*1971 (5)*	*1975 (6)*
	Percentage Prepared to Send Troops, or Help but Not Troops					
Mexico	100	96	N.A.	70	71	67
West Germany	100	90	N.A.	54	59	59
Brazil	98	88	N.A.	47	52	48
Japan	99	84	N.A.	38	51	51
Thailand	95	57	N.A.	36	47	42
India	59	46	N.A.	33	47	41
Yugoslavia	63	41	N.A.	23	34	N.A.
	Percentage Prepared to Send Only Troops					
Mexico	95	78	61	52	55	42
West Germany	92	51	50	38	28	27
Brazil	71	45	N.A.	34	16	15
Japan	80	37	38	27	7	16
Thailand	33	7	34	25	11	10
India	8	6	26	22	7	9
Yugoslavia	5	4	N.A.	15	17	N.A.
Sample Size *(n)*	621	567	1,014	1,561	1,518	1,599

SOURCES: For columns 2 and 3, Bruce M. Russett and Elizabeth C. Hanson, *Interest and Ideology: The Foreign Policy Beliefs of American Businessmen* (San Francisco, 1975). The telephone survey was performed by Daniel Starch & Staff, Inc., January 1973; reported in *Current Opinion*, August 1973, p. 87.

NOTE: For elite samples, questions are as for Table 7. For telephone survey, question was "If . . . is threatened by Communist-supported invasion and takeover, should the U.S. send troops?" Questions and sources for general public surveys, 1969–1975 are as reported in Table 1.

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TABLE 9

Average Levels of Support for Assistance, and Selectivity Scores, by Income and Education

Income	*Send Troops*	*Only Send Supplies*	*No Help*	*Don't Know*
Over $15,000	23.0% (17.2)	40.1% (7.7)	28.6%	8.3%
$ 7,000–$14,999	20.6% (15.3)	37.6% (7.1)	30.8%	10.9%
$ 6,999–$ 5,000	17.4% (12.1)	35.1% (6.1)	32.9%	14.6%
Under $ 5,000	11.6% (7.6)	27.8% (5.0)	42.1%	18.6%
Education	*Send Troops*	*Only Send Supplies*	*No Help*	*Don't Know*
College	21.9% (17.1)	41.0% (8.0)	29.3%	7.8%
High school	19.2% (12.6)	34.3% (5.8)	33.5%	13.1%
Grade school	12.0% (9.1)	30.3% (4.1)	39.6%	18.1%

mass samples in the lower half,[12] and for most, but not all, of the comparisons of elites with the general public on this matter. Only in the case of the countries least "popular" for defense—Thailand and India for the businessmen, and Yugoslavia for both elite samples—is this reversed.

Looking at the great spread between most and least favored countries for the elites, however, leads to the second conclusion. A higher-status person has a much more selective, discriminating set of preferences than does the average person. The variation is much wider for the elite samples, with clear majorities ready to defend the top countries and, especially where American troops are at issue, some very low figures for the countries at the lower end of scale.

Similar patterns are clear if we look *within* the general public sample, as in Table 9. Here we have the various answers in each column, controlling first for income and then for education. The basic number in each cell is the *percentage* of respondents in a given income or educational category making a particular response, averaged across their answers for all eleven countries. For the "send troops" and "send supplies" answers we show, in parentheses beneath, a *selectivity score* (the standard deviation) in the groups' response across the eleven

[12] This, however, may in part be a result of differences in question wording. As in the 1938–1941 surveys, the option of "help but not troops" was not offered, thus inflating for comparison the percentage approving use of troops.

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countries. Thus a high number indicates great selectivity, a low number little selectivity. Regularly and sharply, the *higher* people's social *status* (by income or education), the *more willing* they are, in general, to aid in the defense of other countries, and the *more selective* or discriminating they are according to the country at issue.[13]

A related pattern is apparent in recent American attitudes on Vietnam. In the early stages of that war higher-status Americans were more likely to favor American participation,[14] but as the war dragged on into the 1970s these same individuals were more likely to change their minds, and the association of status with hawkish attitudes on Vietnam became weaker though still discernible. Individuals were more likely to change, the greater their exposure to the mass media of communication.[15] Moreover, whereas in the early cold war years higher-status Americans were most likely to support higher levels of military spending, from 1968 onward they became more ready to cut the military budget than were lower-status people.[16] It is—as one might expect on reflection—higher-status individuals, probably especially those heavily exposed to the media, who are most likely to have a rich, and fluid, set of images and opinions on international affairs. They are both more discriminating at a particular point in time—that is, more responsive to particular pieces of information—and more ready to change their opinions in response to new information or ideas in their social environment. With regard to our concern here, such individuals are likely —and more likely than the average man in the street—to give immediate support to an American government that decided to use force to defend a country from attack if a persuasive case for such action could be made by a reasonably united American government and by major opinion leaders in the media. If, however, the grounds for military action could not so readily be demonstrated, and there were major divisions in the government and/or media, then these higher-status people might well become as likely as the average person to oppose the action. Furthermore, these same people—and again, they are the ones more likely to be politically effective—would be more likely to desert the initial commitment if, after a time, major doubts should arise about its purpose or efficacy.

This perspective also helps us to interpret another facet of opinion on Viet-

[13] For the data, and this conclusion, see Albert H. Cantril and Charles W. Roll, Jr., *Hopes and Fears of the American People* (New York, 1971), pp. 49, 86–89. Results like this can be observed in other studies, for example, Rielly, *American Public Opinion*, p. 18, who compares a national sample with a special leadership sample on a variety of possible threats to other nations, and *Gallup Opinion Survey*, July 1975.

[14] Richard F. Hamilton, "A Research Note on the Mass Support for 'Tough' Military Initiatives," *American Sociological Review*, 33, no. 3 (June 1968), 439–445; Andre Modigliani, "Hawks and Doves, Isolationism and Political Distrust: An Analysis of Public Opinion on Military Policy," *American Political Science Review*, 66, no. 3 (September 1972), 960–978; John Mueller, *War, Presidents, and Public Opinion* (New York, 1973), chap. 5.

[15] James D. Wright, "Life, Time, and the Fortunes of War," *Transaction* (now *Society*), 9, no. 3 (January 1972), 47–52.

[16] Russett, "The Americans' Retreat from World Power."

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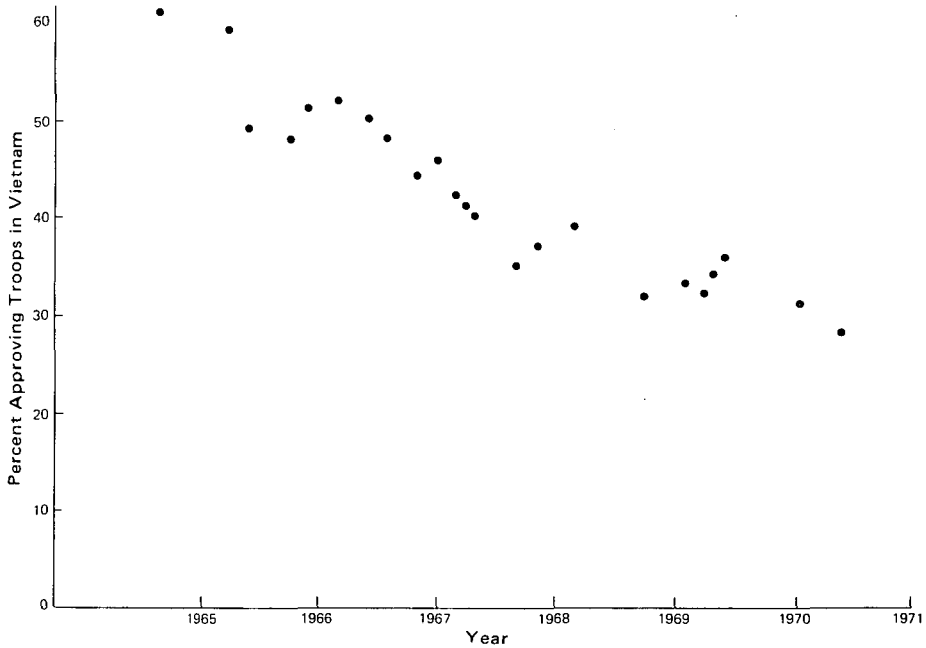
FIGURE 1

Declining Approval of Vietnam War



nam, and to offer some thoughts on the longer-term stability of readiness to help in the defense of other countries in general. Figure 1 shows the percentage of Americans saying "no" to the repeated survey question, "Do you think the U.S. made a mistake sending troops to fight in Vietnam?"[17] The first impression is, of course, an overall decline over time. A second interpretation, necessarily tentative, is that the decline proceeded at varying rates. In the early stages it was quite precipitate, then became much less so after falling below 40 percent at the beginning of 1969. In other words, near the beginning of the war, when its costs were moderate and its difficulty not yet widely understood, most Americans were prepared to support the war effort—but it was not yet very salient to them. As the war and its costs proceeded, however, many of those most attuned to cues and opinions from the media and, one would suppose, from their informal social networks, turned against the war. Toward the later years the minority which supported the war was disproportionately (though surely *not* exclusively) composed of individuals less open to cues from their environment. To use a public health analogy, antiwar attitudes took root in the susceptible parts of the population, and spread from individual to individual across a network of social contacts. After most such "susceptible" individuals

[17] Data are from Mueller, *War, Presidents, and Public Opinion*, pp. 54–55.

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had been reached, what was left was a core of people who either were less closely linked to that social network or more resistant to change because for reasons of personality or life-experience they were strongly committed to supporting the war.

Or to look from yet a slightly different angle, people may support a policy for three reasons: because doing so satisfies basic personality needs, because on the basis of available information the policy is perceived as consistent with certain interests and beliefs, and because of support for their attitudes from that segment of their social environment most meaningful to them. While higher-status people presumably are no more or less likely than others to have certain basic personality needs, they are more likely to be linked with a broad social environment where international affairs are salient and considered important. Thus when cues in that environment change, higher-status people are more likely to change their opinions for two reasons which interact. First, new information that a given foreign policy is inconsistent with his interests and beliefs is especially likely to reach a higher-status person and thus to incite him to reassess his former position. Second, as this likelihood applies to all members of the higher-status group, the general support from his salient social environment can be expected to decrease, providing even less incentive for the particular member to cling to his previous opinion. Such a perspective suggests that the current level of popular support for aid to other countries is not likely to decline much further, at least in the absence of another effort that "goes bad" as the Vietnam one did. The question of military aid to other countries has been very prominent in the media for a number of years now; many people have changed their opinions so as to oppose it, but we would guess that most of the "susceptibles" have now been reached.[18]

Some Conclusions

To summarize the major empirical findings:

1. The willingness of the American public to use United States armed forces for the defense of other nations is currently *lower* than during the earlier cold war years, and is probably at approximately the same level as prevailed in the years immediately preceding American entry into World War II. That level of willingness seems to have held fairly steady during the years 1969–1975, and

[18] This inference is supported by the mild reversal that has recently occurred in attitudes toward defense spending. In January 1976 AIPO asked, "Do you think we are spending too much, too little, or about the right amount [for national defense and military purposes]?" Responses were: 36 percent "too much," 22 percent "too little," and 42 percent "about right" and "don't know." Previous AIPO surveys had the percentage saying "too much" in the range 42–46. (Russett, "Americans' Retreat from World Power," p. 3.) Nevertheless note that the advocates of reduced defense spending still outnumber the advocates of increased spending by more than three to two *and* they still outnumber them among southerners and among Republicans (by 31 to 28 and 31 to 23 respectively).

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there is *no reason to expect any continued decline* if our hypotheses concerning trends in such willingness are correct.

2. Public willingness to employ *nuclear* weapons on behalf of allies is extremely *low*, much lower than during the early 1950s.

3. Public willingness to employ American forces, or even to send military supplies for the defense of other countries, is *highly selective*. That willingness tends to be higher for countries the *closer* they are geographically to the United States. *Economic ties* to the United States, existence of a formal military *alliance* with the United States, and rule by a *non-Communist government* (of any variety) also make a positive contribution.

4. Public willingess to employ American forces also depends strongly on the *nature of the threat*. Depending on the country threatened, between two and four times as many people would use American troops to defend against an external attack as against an indigenous insurgency.

5. Public willingness to defend other countries varies markedly among different segments of the public. *Elite* or leadership samples are much more willing than are average members of the general public; among the general public that willingness is greater with higher *income* and *education*. These people are also much more *discriminating* in regard to whom they would assist.

Some further speculations about the political consequences: we have noted the low level of popular support for the commitment of United States military forces outside the Western Hemisphere. In the elite as well as the mass public, data show few instances where as many as half are ready to approve such action. Presumably recent official statements, especially by former Defense Secretary Schlesinger, have sought to confront that problem by asserting American readiness to use nuclear weapons in defense of other nations. Nuclear weapons could be used quickly, with existing forces, and—hopefully—produce a rapid outcome that might not directly involve the American homeland. Such action could be taken by a determined American executive even in the absence of any widespread popular support. Yet the irony is that such action would run *directly counter to the wishes of the American public* as expressed in these opinion surveys. The use of nuclear weapons, as indicated earlier in this article or in Table 3, would be approved by only a very small portion of the populace. Far more are prepared, at least initially, to support the kind of continuing long-term effort implied by sending military supplies or even conventionally armed American troops into combat.

Until now we have been discussing only material about public opinion, whether mass or elites, rather than beliefs or attitudes at the very top of the foreign policy decision-making system. More than in domestic policy, foreign policy makers do have some latitude to act independently of public opinion. We *cannot* predict in simpleminded fashion that leaders will follow public opinion on the matters we have addressed. Despite constraints, they may persist in certain policies for a while even if general opinion lags behind, and they may work to influence the public and bring it along to accept the policies that

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decision makers believe are right. We have good evidence of the decision latitude given for a long time to American presidents on Vietnam, when there was a potential majority available to be mobilized either for moderate escalation or moderate withdrawal, according to the direction in which the president chose to lead. This phenomenon, and that of "rallying 'round the flag' " in a crisis, tends most commonly to be found among higher-status people.[19] There is also the risk—or opportunity, depending on one's perspective—that deliberately incurring *some* costs through a rapid military response could be used as a tactic to rally and hold public support even for an initially unpopular purpose. Some American deaths, for instance, could represent a "sunk cost" that had to be "redeemed."[20]

The effects of flag-rallying nonetheless do fade, and the period of its relevance becomes ever shorter the more frequently it is invoked. And many kinds of foreign policy behavior are not suitable for rallying the populace as in a crisis. A quick action can be mounted by the executive with existing military forces and without prior approval; if successful it may be widely applauded. The year-in, year-out maintenance of troop levels and weapons capabilities, however, requires congressional approval under circumstances where the tradeoffs in terms of domestic welfare become vividly apparent and politically very salient.*

[19] See Sidney Verba et al., "Public Opinion and the War in Vietnam," *American Political Science Review*, 61, no. 2 (June 1967), 317–333, and Mueller, *War, Presidents, and Public Opinion*, chap. 5.

[20] See Ralph K. White, *Nobody Wanted War* (Garden City, N. Y., 1970) and Charles Wolfe, "The Present Value of the Past," *Journal of Political Economy*, 78, no. 3 (July/August 1970), 783–792. We owe this point to our colleague James Austin.

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Profit in Not-for-Profit Corporations: The Example of Health Care

AMITAI ETZIONI
PAMELA DOTY

In the course of the recent nursing home investigations, the thesis has repeatedly been advanced that a major source of the abuses uncovered is the provision of care by proprietaries (i.e., for-profit corporations). While in most human services sectors proprietary institutions account for only a small percentage of those providing services (e.g., only 13 percent of hospitals[1] and an even smaller percentage of schools), about 77 percent of the nursing homes in the United States are proprietary.[2] In response to the scandals, a solution more and more frequently proposed is to phase out the proprietaries and require all nursing homes to be run on a "voluntary" (not-for-profit) basis.[3] Similarly, when abuses have come to light in other service areas—e.g., in proprietary correspondence schools, for-profit abortion-referral services, and the minority of

[1] American Hospital Association, *Hospital Statistics* (Chicago, 1972), pp. 20–21.

[2] *Nursing Home Care in the United States: Failure in Public Policy, Introductory Report* (Washington, D.C., November 1974), p. 22.

[3] This suggestion has been made by New York Assemblyman Andrew J. Stein, chairman of the New York State Temporary State Commission on Living Costs and the Economy, which investigated nursing homes; an assembly of the Golden Ring Council of Senior Citizens Clubs; and a series of expert witnesses testifying before the New York State Assembly's Health Committee. See *The New York Times*, February 27, March 19, and April 12, 1975.

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hospitals which are profit making—there has been a call to place these human services under the exclusive domain of the not-for-profit corporations.[4]

A closer look at current regulation of the financial dealings of not-for-profit corporations suggests, however, that a decision to bar for-profit corporations in the human services would not suffice to eliminate profit-making abuses. The reason is that omissions, ambiguities, and loopholes in the laws and regulations governing not-for-profit corporations presently make it possible for the trustees and staff of not-for-profit corporations to engage in a variety of financial practices which bring them personal profits over and above fees, salaries, and fringe benefits due them for work performed. The practices in question are not those generally termed "fraud," i.e., kickbacks, double billing, charging for services never performed, etc., which are clearly illegal whether they are practiced in for-profit or not-for-profit corporations. Rather we refer to forms of profit making which are at odds with the underlying rationale of not-for-profit corporations, not as currently written in existing laws and regulations but as widely held and understood as legitimate expectations by members of society. Examples of these abuses of not-for-profit status constitute the body of this article.

We cannot stress sufficiently that the central thesis of this presentation is not that we have established the *frequency* with which abuses occur in not-for-profit corporations, a subject which would require monumental investigative efforts, but that we have identified the major *types* of abuses which occur, *and* outlined the ways to *curb* them. Note, though, that the cases of abuse reported below are not hypothetical and the incidents are sufficient in number to lead one to estimte that whatever the frequency of such abuses, they are not so rare or trivial that they can be safely ignored.

Profit Making in a Not-for-Profit Corporation: A Definition

What kinds of reforms are needed? To answer this we need first to clarify what constitutes profit making in a not-for-profit corporation and why it is considered illegitimate. The definition we propose draws on the conception of what not-for-profit corporations are expected to be by the public at large and community leaders—i.e., by the normative consensus prevalent in society. In essence, we propose a definition which, if adopted in state and federal statutes would prod not-for-profit corporations to operate according to the public-minded, responsible, and conflict-free interest standards that the society's mores ascribe to and expect of them.[5]

[4] See, for example, testimony by Albert Shankar, president of the American Federation of Teachers, urging Congress to exclude profit-making day-care centers under legislation to provide new federal support to preschool programs. *The New York Times*, June 6, 1975.

[5] A recent discussion of these mores was highlighted during changes in the tax laws governing foundations. The foundations relied on these mores to argue for their right to tax-exempt status and related privileges. See, for instance, Alan Piper, "Assessment of the Law and Its Effects on Foundations," *Foundations and the Tax Reform Act of 1969* (New York,

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The essence of the not-for-profit organizational structure is that the pecuniary interests of the trustees and staff be decoupled from the rises and falls in the output and income of the corporation. This, in turn, allows them to concentrate on the public or client needs, without concern that this will affect their income. A conflict of interest between trustees and staff on the one hand and the public and clients on the other is basically avoided by paying the trustees and staff salaries, wages, or fees *not* dependent on the client's payments, and by disallowing compensation for ownership and capital investment.[6] This is the reason these corporations have no stockholders and pay no dividends, and their trustees receive only nominal compensation or none at all.

Our central thesis is that existing laws and regulations governing not-for-profit corporations are insufficient to safeguard the underlying legitimate purpose of these corporations. For instance, the HEW guidelines for not-for-profit corporations, elaborated over sixty-five pages, define a not-for-profit corporation as one "which is not organized primarily for profit and which uses all income exceeding costs to maintain, improve, and/or expand its operations."[7] The term "primarily" leaves open the door to profit making (if it is not "primary") and the question, how much is "not primarily"—10, 20, or 40 percent?

That this ambiguity is not a hypothetical one is illustrated in *Anateas Lineal Inc. 1948* v. *U.S.*,[8] where a federal district court ruled that a commercial pathology laboratory was a not-for-profit corporation for federal tax purposes, because aside from its highly lucrative pathology services to various hospitals, it provided training to high school and medical students.

The New Mexico statute says, " 'nonprofit corporation' means a corporation formed for a purpose not involving pecuniary gain to its shareholders or members, paying no dividends or other pecuniary remuneration, directly or indirectly to its shareholders or members as such, and having no capital stock."[9] The Georgia code states " 'nonprofit corporation' means a corporation no part of the income or profit of which is distributable to its members, directors or officers."[10] As we see it, the intentions of those who formed the corporation is not a sufficient criterion, as even if their purposes were pure of any profit considerations, later they—or those who succeed them—may change their minds. However, the main difficulty is with the concept of no distribution of income. As the staff is being paid and not working as volunteers, it is necessary to determine

1970), esp. p. 43; Eli Ginsburg et al., *The Pluralistic Economy* (New York, 1965); and Waldemar A. Nielsen, *The Big Foundations* (New York, 1972), p. 369ff.

[6] It does not follow that in *profit-making* corporations, any and all increase in the amount or quality of service is viewed by owners or employees as "loss." To the extent that it increases revenues it may *increase* profit. However, at each point the owners and employees must estimate to what extent such improvement in services is in line with *their* interests or in conflict. This consideration, in principle, does not exist in not-for-profit corporations.

[7] *A Guide for Non-Profit Institutions* (Washington, D.C., August 1974), p. 15.

[8] 366 F. Supp. 118 (W. D. Ark. 1973).

[9] N. M. stat, Ann. #51–14–22 (1953).

[10] Georgia Code, Ann. #22–2102 (a) (1970).

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where their income is a reasonable compensation for work or services rendered, and where it exceeds this level and becomes but a veiled form of profit making. The cited codes do not cover this issue, nor does the often cited IRS code: "no part of the net earnings of which inures to the benefit of any private shareholder or individual."[11] The notion of a *net* as definition of profit, as derived from the difference of expenditures and revenue, is borrowed from profit-making corporations. In a not-for-profit corporation, illicit gains are made by the staff and trustees, we shall see, when expenditures are smaller, equal to, or larger than revenues—i.e., even when there is no "net" at all. Our definition attempts to get at this matter by defining explicitly what distributions *are* allowed: a not-for-profit corporation will provide to persons associated with it (such as trustees, managers, staff, and employees) no benefits apart from reasonable and customary fees, salaries, and fringe benefits. To put it differently: while the existing definitions cited above are "exclusive" or "negative" in the sense that they characterize what may not be done, ours is "inclusive" or "positive" in the sense that it defines which allotments are proper. Of course the two definitions may be combined.

Barriers to Perception of the Problem

That the statutory language pertaining to not-for-profit corporations has for so long remained imprecise seems to stem in part from the strength of the philanthropic tradition in America and the trust long placed in the unselfish motivations of those associated with not-for-profit corporations. By and large the public and government have been content to allow a large measure of self-regulation to not-for-profit institutions, first because these institutions are typically staffed by members of respected professions who claim allegiance to a service ethic which requires placing the interest of the client above all other considerations, and second, because those who serve on the boards of trustees of not-for-profit institutions are generally among the community's leading citizens. It has been often argued in the past that pressure from professional peers, as well as the respectability assured by a board of directors should be sufficient to curb unethical practices that might develop. As one author put it:

> The image of a nonprofit carries with it a halo of probity in a capitalist society; one imagines the gentle administrator of a church-owned nursing home who spends his time in good works for the benefit of his patients, rather than in calculating new ways to beat the government.[12]

Finally, it is probable that, until recently, when a large infusion of government funds began to rival and then surpass charitable contributions as a major source of support for not-for-profit corporations, there were fewer opportunities to exploit the law's laxities. Now that a high proportion of the income of not-

[11] Section 501 (c) (3), 1954 Internal Revenue Service Code.
[12] Mary Adelaide Mendelson, *Tender Loving Greed* (New York, 1974), p. 195.

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for-profit corporations, such as voluntary hospitals, "private" colleges, and not-for-profit nursing homes, is derived from taxpayers' funds, the question of proper use of the funds has gained in scope and significance.

In addition, the general tenor of the society seems to be one of growing ethical laxity and weakening of core values, which questions a reliance on the motivation of the staff and the reputation of the trustees, and increases the need for reliance on law, regulation, and enforcement. It is not that these regulatory mechanisms can suffice without ethical backing; but especially in periods in which the ethical base has to be shored up, the fewer temptations that are left by the regulatory mechanism, the less burden the ethical base has to carry.

The incidents or "cases" or actual occurrence of profit making in not-for-profit corporations cited below were not uncovered by us; rather we have culled them from a variety of sources including congressional and state investigatory testimony and staff reports, as well as published and unpublished accounts by others. Our contribution is to bring together the various abuses reported here and there as "cases," analyze them as being of four main types, and suggest ways to deal with them. Although the examples cited come from the health field, we suggest that the underlying issues are the same for all not-for-profit corporations, be they educational, social, charitable, or otherwise.

Four Avenues for Profit Making in Not-for-Profit Corporations

Staff Income Tied to Entrepreneurship Rather than to Work

In many voluntary hospitals several medical specialists, pathologists, and radiologists in particular receive all or part of their remuneration in the form of a share of their department's gross or net income. A 1959 survey of 2434 American hospitals found that approximately 70 percent of radiologists; 45 percent of pathologists; 49 percent of physicians specializing in EKG, BMR, and related readings; 22 percent of specialists in physical medicine; 19 percent of internists; and 14 percent of anaesthesiologists earned their income exclusively from such a "percentage of the take."[13] A 1969 study found that 46 percent of pathologists and 60 percent of radiologists practicing at the hospitals surveyed were paid a percentage of their department's income.[14] A 1972 survey, based on a comparable universe of hospitals ($N = 1798$) found 52 percent of pathologists and 62 percent of radiologists receiving their remuneration in the form of a percentage of departmental income.[15]

For many years, acceptance by a pathologist of a salaried position in a hospital was grounds for expulsion from the College of American Pathologists, although exemptions were allowed for government-run and university hospitals. Fol-

[13] Milton I. Roemer and Jay W. Friedman, *Doctors in Hospitals* (Baltimore, 1971), p. 65.

[14] C. M. Begole, P. J. Phillip, and M. Williams, "Hospital Specialist Compensations Plans," *Hospitals*, 46 (April 16, 1972), 81.

[15] Robert M. Blakely, "Hospital Physicians: How They Are Paid and How Much," *Modern Hospital*, 121 (August 1973), 74.

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lowing a Justice Department suit charging "monopolistic practices," a consent decree was issued in 1967 whereby the College of American Pathologists agreed to delete this rule. Nevertheless, some hospital administrators contend that strong pressure is still exerted informally to maintain percent of revenue as the dominant mode of reimbursement.[16] As a result, according to one observer, a heart surgeon and medical consultant, a situation has developed where pathologists of equal qualifications will work for $28,000 to $40,000 salaries in university hospitals, while those working in general hospitals under percent-of-revenue schemes can earn $200,000 and more.[17]

A recent General Accounting Office study of compensation arrangements for pathology and radiology specialists at seventeen hospitals in Washington, D.C., and Missouri found that the nine pathologists with percentage-of-gross arrangements earned an average of $80,000 over annual periods ending between April and December 1972. In contrast, the four pathologists earning salaries averaged $26,000.[18]

Why do we hold that these arrangements, known in the for-profit corporations as "profit sharing," are incompatible with the basic concept of not-for-profit corporations? Because as long as the income of the staff rises as more services are rendered, the motivation to provide the service may not be the needs of the client or public, but the desire of the provider to increase his or her income. Overutilization tends to result, causing both unnecessary financial burdens on the client and taxpayer, and unnecessary health risks which medical interventions entail.

When the income of the staff is tied to provision of *fewer* services, the opposite effect—underutilization—may result; i.e., clients will receive less care than they require, which again calls for separating the income of the provider from the needs of the client. Thus, in some not-for-profit Health Maintenance Organizations (HMO's) physicians receive a bonus, above their salary, calculated as a percentage of the organizations' net surplus. The fewer services rendered, the higher the surplus, all other things being equal.[19]

Writing in the *New England Journal of Medicine*, Dr. Robert W. Geist noted that HMO incentive bonuses are conceptually quite similar to fee-splitting or rebate arrangements between physicians and other providers to whom they may refer patients or from whom they may order services.[20] The principal difference between such arrangements among providers—which have traditionally been

[16] "Now they use the velvet glove approach," Richard M. Loughery, administrator, Washington Medical Center is quoted as saying in *The Washington Post*, November 1, 1972.

[17] Dr. John Gillespie, heart surgeon, ibid.

[18] See the Comptroller General of the United States, "A Proposal for Disclosure of Contractual and Financial Arrangements between Hospitals and Members of Their Governing Boards and Hospitals and Their Medical Specialists," *Report to the Congress* (Washington, D.C., April 30, 1975), p. 23.

[19] Harry Schwartz, *The Case for American Medicine* (New York, 1972), p. 177.

[20] Robert W. Geist, "Incentive Bonuses in Prepayment Plans," *New England Journal of Medicine*, 291, no. 24 (December 12, 1974), 1307.

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held unethical by the profession and often illegal by government—and HMO incentive bonuses is that the former give physicians a financial reward for prescribing additional services while the latter reward them for withholding services.

The American Medical Association House of Delegates recently adopted a report by its Judicial Council stating, "compensation geared not to the quality of services but to the extent that physicians can keep the medical, surgical or hospitalization rate of a particular group of subscribers below a predetermined level is not in the best interests of the public or the medical profession."[21] The council warned that this mode of payment "introduces a financial incentive that may interfere with the physician's obligation to place his patient's welfare first. In cases of doubt, deliberate or otherwise, the incentive may tip the scale against the patient's welfare . . . "[22]

Nevertheless, the AMA has not taken the position that it considers such arrangements unethical and hence does not prohibit its members from participating in them. Government agencies are very favorable to HMO's because they are said to be more economical than other arrangements. Our point is not to ask here if cost-saving or patient services should take precedence; some balancing of health needs and costs is clearly necessary. Our point is that where the staff has a financial stake in the services rendered or *not* rendered, this should not be hidden under the umbrella of a not-for-profit corporation. Let the patient choose to be served by a profit-making corporation or in a not-for-profit one; but the patient looking for one free of this form of conflict of interest should not end up being subject to it. It is not a matter of informing people that profit making takes place in not-for-profit corporations, "so they know what they are getting into," an approach which would make them better informed but also leave them without a clear choice; the point is that by keeping the not-for-profit corporations clear of profit, the public's choice will be protected.

Attempts have been made to try to deal with the matter through "disclosure" rather than by regulations. An April 30, 1975, General Accounting Office report to the Congress stated:

> In view of concern over high medical costs and the monopoly position of pathologists and radiologists at many hospitals, the public should be informed of methods used to determine patient charges for X-Ray and laboratory services and the extent that specialists can determine their own income.[23]

The GAO recommends that consideration be given to amending the Social Security Act Amendments to require hospitals to disclose their contractual arrangements with affiliated physicians in order to be eligible for participation in publicly funded programs.[24] Presently (1) such disclosure is neither required

[21] "HMO Bonus Policy Assailed," *American Medical News*, 17, no. 13 (December 9, 1974).
[22] Ibid.
[23] Comptroller General, *Report*, p. 17.
[24] Ibid., p. 28.

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nor commonly practiced, and (2) if introduced would not provide the patients with a clear choice, because then profit making would be practiced both in for-profit and not-for-profit hospitals. It seems to us that limiting profit-sharing schemes to profit-making hospitals and other health service facilities is a more proper solution.

University of Pittsburgh Health Law Professor Nathan Hershey has suggested that perhaps getting a percentage of gross or net income arrangements are a case of "necessary evil" if we are to have the services of specialists who wish to maintain the practitioner's professional autonomy. Exploitative arrangements can, however, be prevented, he argues, by providing the hospital's attorney with a projection of the volume likely to be generated within the various hospital departments and having the attorney set a percentage of return to be not different from what the physicians would have received from a salary plus fringe benefits. If, in addition, there were greater restrictions on the tests or services classified as routine by the hospital's medical staff for all, or some categories, of patients, thereby requiring specific orders from the patient's own physician for performance of many tests and services, an increased potential for control over unnecessary tests and services, which increase specialists' income based on departmental revenue, could be achieved.

As we see it, the idea of the autonomous professional is just as readily upheld by fee-for-service compensation as by gaining a percentage of a department's income. While we agree that fee-for-service can also be abused, and hence would prefer that physicians be salaried, we suggest that its potential for profit-making abuse can be more readily controlled than that of percentage-of-income arrangements for several reasons. First, as a practical matter negotiating reasonable percentage-of-income arrangements is particularly difficult. For one thing, the volume of services a hospital specialty department has may change considerably over time, due to overall growth of the hospital, changes in the population of the area, and many other "irrelevant" reasons. Thus, gradually, a formula that originally provided a reasonable income to the specialists may become more and more lucrative, perhaps even outlandishly so. At this point, it will be quite difficult for the hospital to attempt to negotiate a lower percentage cut for the specialists. Second, it is very difficult to determine when a service is and when it is not "necessary" and hence, we hold that it is best not to generate motivation to oversupply or undersupply a service. This would curb the need to evaluate them. Nor can service initiation be limited to the patient's own physician (often an internist) and not be allowed to a specialist; nor is it reasonable to expect internists to curb their specialized, often more prestigious colleagues.

Regulatory implications

Since, in our view, "profit sharing" as on the part of physicians associated with not-for-profit health facilities is in conflict with the very concept of a "not-for-profit" corporation, we suggest *a revision of the law covering not-for-profit corporations to explicitly exclude any form of compensation of the staff other*

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than salary or fee for service. Physicians like to maintain the legal posture that they are not working for the hospital but are only "using" its facilities. We propose that, though a one time or occasional use (such as that of a consultant) may be deemed use by an outsider, persons who utilize a hospital regularly and continuously, as most physicians do, should be considered staff for the purposes of this regulation and be prohibited from contracting to provide their own (or others') services on a for-profit basis as well as from operating hospital departments as private profit-making concessions.

Self-Dealing

Self-dealing refers to business transactions in which the same persons (or their kin) appear on both sides of the transaction, once as the staff or trustee of a not-for-profit corporation, once as a profit-making provider of goods or service to the other side (the not-for-profit corporation).

In 1972 a number of practices of this sort were reported in Washington, D.C.'s largest not-for-profit hospital, the Washington Medical Center. A member of the administrative staff in charge of data processing had decided that the existing facilities at the hospital for billing, keeping track of patient records, and accounting through the hospital's computer were inadequate. His solution was to hire an outside for-profit firm to furnish these services, and he selected one he had started himself—with the help of a $50,000 deposit from the hospital. The hospital administrator received stock in the new company free of charge; five other top administrators of the hospital bought stock at $1.00 a share.[25] Following public disclosure of these relationships, most of the administrators disposed of their stock. In 1974, however, when the General Accounting Office included the Washington Medical Center in a review of self-dealing transactions in nineteen hospitals, it found that four hospital officials and several relatives of another official owned stock in the same computer firm; a physician employed by the hospital provided consultant services to the firm; and the firm's president was a hospital consultant and a member of the hospital's action committee.[26] The GAO also found that it was not until mid-1973 that the Washington Medical Center requested competitive bids for computer services. According to the hospital administrator the other bids were not comparable with the present firm's services for a number of reasons; thus the hospital decided to continue retaining the firm's services for twelve to eighteen months, during which time a "more specific request for bids would be developed."[27] The GAO report concluded that the overlapping interests of the hospital officers with the firm were likely to continue to give the firm an advantage over potential competitors.

In addition, at this same hospital, the official in charge of managing the in-

[25] *The Washington Post*, October 31, 1972.
[26] Comptroller General, *Report*, pp. 7–9.
[27] Ibid.

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stitution's finances placed hospital funds in an interest-free account at a bank where he was vice-president. The hospital's account balance is reported to have generally hovered around $1 million, sometimes going as high as $1.8 million; a conservative estimate placed the hospital's annual loss of interest because of this account at $50,000.[28] That hospital *staff* gained something from these transactions is suggested by the fact that the hospital's administrator admitted this bank had lent him money at a low interest rate.[29]

More recently, Medicare officials disclosed that millions of dollars in federal and private funds entrusted to Blue Cross and Blue Shield are being channeled through banks with officers who serve on the boards of trustees of these not-for-profit health organizations. Officials of the Social Security Administration identified eleven accounts out of twenty such Medicare accounts investigated as containing excess balances during the first quarter of 1975, indicating that the banks had federal money to invest beyond that needed to pay each bank for its checking account service. The excess balances ranged from $8,597 to $163,717.[30]

According to a 1971 New York State Health Department working paper, "self-dealing" transactions, of the type apparently practiced at the Washington, D.C., not-for-profit hospital and by some Blue Cross and Blue Shield officials, are a growing trend. In particular, doctors, administrators, or trustees of not-for-profit health facilities are increasingly setting up their own for-profit corporations, ranging from physician provider groups, laboratory service, food service, and linen and laundry service to equipment leasing, housekeeping and maintenance, rehabilitation therapy, and health personnel service.[31] In addition, doctors frequently own pharmacies (thus giving them an incentive to overprescribe), a practice that was investigated several years ago by the Senate Monopoly and Anti-Trust Committees, and which the AMA debated but avoiding condemning.[32]

The results of a recent California Auditor General's Office investigation of inexplicably high costs charged to Medicaid by a number of not-for-profit prepaid health plans can serve as a warning signal. In eight of thirteen not-for-profit prepaid health plans reviewed, officers or directors were found to have formed profit-making partnerships or associations which sold various supplies to the not-for-profit prepaid health plan, thereby enabling these individuals to make personal profits from what was ostensibly a not-for-profit operation. The report went on to note that the complex administrative structure created by these interlocking firms made it difficult for the state to determine what percentage of its payments actually went for patient services and what

[28] *The Washington Post*, October 31, 1972.
[29] Ibid., October 30, 1972.
[30] *The New York Times*, August 5, 1975.
[31] New York State Department of Health, "An Outline of Changing Trends in Ownership and Operation of Health Facilities and Services" (New York, April 19, 1971).
[32] *Modern Hospital*, 117 (March 1969), 86, 160.

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percentage went into executive salaries and other components of administrative overhead.[33]

In California, the practice of self-dealing has recently come into question in connection with the new wave of Health Maintenance Organizations. Currently most HMO's are not-for-profit corporations. There are at present, however, few legal obstacles barring not-for-profit HMO's from becoming chiefly shells for a myriad of for-profit corporations. According to California Assemblyman John T. Knox, "The notion that prepaid health plans are operated by non-profit corporations is nothing but fiction, a fiction that has worked directly contrary to the original goal of the prepaid health plan as a means of reducing the cost of health-care delivery."[34] In testimony before the Senate Permanent Investigations Subcommittee, Dr. Lester Breslow, dean of the School of Public Health at the University of California at Los Angeles and former health director of the state, said that many Health Maintenance Organizations, though ostensibly not for profit, siphoned most of their state and federal funds into subsidiary profit-making corporations.[35] Dr. Bruce R. Frome testified concerning California's second largest prepaid health plan, Marvin Health Services, Inc., which he had helped to found. He acknowledged that most of the state and federal money received by the not-for-profit Marvin Health Services was turned over to a profit-making subsidiary called American Health Maintenance Organization, Inc., which was owned by doctors and other health professionals associated with Marvin Health Services. Marvin Health Services, located in the Watts section of Los Angeles, had received $7 million, of which $4.2 million went to administrative costs and profits.[36]

The most comprehensive study of "self-dealing" in not-for-profit health facilities to date is a General Accounting Office survey of "overlapping business interests" of key hospital employees and members of hospital governing and advisory boards. Nineteen hospitals were studied: five not-for-profit and one profit-making hospital in the Washington, D.C., metropolitan area and thirteen not-for-profit hospitals in the cities or metropolitan areas of Kansas City, St. Louis, and Springfield, Mo. At the Missouri hospitals, only overlapping interests involving governing or advisory board members, not those involving employees, were investigated. At seventeen of the nineteen hospitals "overlapping interests" were found.[37] Of these,

14 had at least 1 board member associated with a bank or investment or legal

[33] Testimony from California Auditor General's office represented by Gerald Hawes and Robert Christophel before the United States Senate Special Committee on Aging concerning "Medicaid—Home Health Care Regulations" (Washington, D.C., October 29, 1975), pp. 9–10.

[34] *Medical Care Review*, 32, no. 4 (April 1975), 373–374.

[35] Ibid.

[36] Ibid.

[37] Comptroller General, *Report*, p. 3.

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> firm serving the hospital. Board members at 3 hospitals had associations with insurance companies; 14 hospitals had board members associated with various other firms doing business with the hospital.[38]

At one St. Louis not-for-profit hospital, ten of the fifteen board members had overlapping interests with twelve different companies, primarily banks in which the hospital had accounts or which managed its pension funds or investments. In addition, however, the hospital did $934,000 worth of business in 1972 with utilities, conglomerates, or manufacturing firms with which its trustees were associated.[39] Again, noting the unfair competitive advantage that could result from "overlapping interests" between board members or staff and firms doing business with a hospital, the GAO recommended public disclosure of all such relationships.

Regulatory implications

In total, it seems that to avoid conflict of interest between the staff and trustees on the one hand and the client and public on the other hand, it is necessary to deal not only with transactions within the not-for-profit corporation but also with dealings between it and other corporations. Thus we suggest that business transactions between an institution where an individual is a staff member or official and a company in which he or she has a financial interest should be disallowed.

At present, most statutes regarding not-for-profit corporations either contain no provisions regulating self-dealing or rather permissive ones. For example, section 715 of the New York Not-for-Profit Corporation Law is nearly identical to New York business corporation law in providing that:

> No contract or other transaction between a corporation and one or more of its directors or officers, or between a corporation and any other corporation, firm, association, or other entity in which one or more of its directors or officers are directors or officers, or have a substantial financial interest, shall be either void or voidable for this reason alone or by reason alone that such director or directors or officer or officers are present at the meeting of the board, or of a committee thereof, which authorizes such contract or transaction, or that his or their votes are counted for such purpose.

The director or officer is, however, expected to disclose his interest in good faith to the full board which then takes a vote (not including the interested director) to decide whether or not to authorize the transaction. If there was no such disclosure or the vote of the interested party was necessary to authorize the transaction when the vote was taken, then

> the corporation may avoid the contract or transaction unless the party or parties thereto shall establish affirmatively that the contract or transaction was fair and

[38] Ibid., p. 7.
[39] Ibid., pp. 13–14.

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reasonable as to the corporation at the time it was authorized by the board, a committee, or the members.

A notable exception is Section 4941(d) of the 1954 Internal Revenue Codex which sets forth a set of limits and levies a special tax on self-dealers in the context of foundations. Prohibited acts of self-dealing are defined as follows:

> (1) In General.—For purposes of this section, the term "self-dealing" means any direct or indirect (A) sale or exchange, or leasing, of property between a private foundation and a disqualified person; (B) lending of money or the extension of credit between a private foundation and a disqualified person; (C) furnishing of goods, services, or facilities between a private foundation and a disqualified person; (D) payment of compensation (or payment or reimbursement of expenses) by a private foundation to a disqualified person; (E) transfer to, or use by or for the benefit of, a disqualified person of the income or assets of a private foundation; . . .

We hold that the same prohibitions should be applied to all not-for-profit corporations. It might be asked if a trustee who owns a few shares of Johnson and Johnson, Ford Motor, and Procter and Gamble would be disqualified from serving on a hospital board if the hospital buys paper towels, a car, and soap from the respective companies. One may say that such purchases by the hospital are so small compared to the total volume of transactions of the said corporations that trustees could not expect any benefits to accrue to them because the hospital buys from "their" corporations rather than other ones and hence view that such ownership is not a violation. However, the courts may have been too lax when they allowed self-dealing when the director had up to 10 percent (or even more) interest in the other corporation.[40]

The argument that unless one allows trustees not to divest themselves of ownership and management roles in related business there will be an insufficient number of trustees outweighing the danger of some self-dealing, is doubly mistaken. First, it overestimates that role of the trustees. They no longer are a main source of "raising funds" for private hospitals, colleges, etc., which rely heavily on public funds (Medicare, Medicaid) and insurance (Blue Cross). Second, the trustees need not be businessmen and can be community leaders, union representatives, and others with little business investment.[41]

Another legal means for curbing self-dealing transactions in not-for-profit institutions is by holding trustees accountable on the basis of their fiduciary obligation to the institution. Directors and officers of not-for-profit corporations are considered as having duties vis-à-vis the corporation encompassing good faith, loyalty, and the exercise of sound business judgment, as well as the responsibility to use corporate assets in a manner consistent with the purposes set forth in the corporation charter. A recent court decision suggests that these fiduciary duties can serve to provide a legal foundation for penalizing, or at

[40] Harold Marsh, Jr., "Are Directors Trustees?" 22 Bus. Law. 35 at 65 (1966), cites this standard as common in business corporation law.

[41] Ibid. at 36.

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least censuring, trustees who engage in or allow self-dealing transactions. In July 1974, U. S. District Judge Gerhard A. Gesell ruled that five trustees of Sibley Hospital had failed to supervise properly the not-for-profit hospital's funds and investments over several years.[42] While Judge Gesell did not characterize the acts of the trustees as conspiracy or illegal use of the funds for their own benefit, he did rule that they had breached their fiduciary duty to exercise proper supervision. Although not taking any action against the trustees (who were also members of the boards of the banking and financial institutions handling the hospital's funds), Judge Gesell outlined specific steps to be taken in the future by the hospital and its trustees on a regular basis, including full listing to the boards of directors of the hospital's dealings with any institution. In addition Judge Gesell recommended that the hospital restrict board membership to representatives of financial institutions that have no substantial business relationship with the hospital.[43]

This suggests that (1) the concept of good faith does *imply* proper curbs on the trustees, but (2) it is too vague to provide a sufficient guideline to either trustees or courts, and hence (3) additional, more specific curbs are necessary—ones which explicitly rule out self-dealing.

In addition, we hold that while public competitive biddings are not a cure-all, because such biddings have been known to be rigged and there are occasions when they are not practical, this procedure does offer fewer opportunities for abuse than do sole service contracts. It would seem that in exchange for the privileges which their special tax status bestows on the not-for-profit corporations, they should be required to make their purchases through competitive bidders except when this is not practical (e.g., when there is only one supplier within an extensive geographical radius).

Such a "rule" has been on the books of New York City since 1909. Rule 9 of the Terms and Conditions Governing Payments to Charitable Institutions states that no member of a hospital board can be a member of a company that is paid for providing services or merchandise to these institutions. The rule, though, is not on the books elsewhere and the mechanisms for its implementation are not clear. Thus when the New York City comptroller asked the trustees of New York City hospitals to disclose any such affiliations, most failed to respond, leaving on him the onus of making the case.[44] We would add, then, the requirement that persons accepting a public office, such as that of trustees or director of a not-for-profit corporation, should be required to disclose all such affiliations and how they dispose of them.

In addition, the lack of enforcement of Rule 9 was attributed to the fact that the city felt that it could not cut off the funds to the hospitals because some trustees violated a rule.[45] We suggest that the penalty for violation of such rules

[42] *The Washington Post*, July 31, 1974.
[43] Ibid.
[44] *The New York Times*, December 26, 1975.
[45] Ibid.

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should be exacted from the individual trustee, not from the not-for-profit corporation; also, that the penalties will have to be sufficiently large to more than outweigh the benefits which accrue to violators. The antitrust law notion of triple damages may apply here.

In sum, we recommend that (1) persons having potential "conflicts of interest" be required to sever the relationship in question before being permitted to serve on the board or as an official or staff member of a not-for-profit entity; (2) penalties be exacted from any member or trustee of a not-for-profit institution engaged in any such conflict of interest transactions; (3) in order to prevent exploitation of the authority to award contracts on the part of the not-for-profit entity's officials—in particular, favoritism toward friends and relatives—the law should require competitive bidding for all business transactions over a given size, unless special circumstances can be demonstrated to the regulatory agencies *before* the transaction.

Real Estate Transactions

The sale or lease of land or facilities to a not-for-profit corporation by an officer or staff member offers a number of profit-making opportunities, which differ from the self-dealing reported above chiefly in the magnitude of the abuse and in the form of the transaction. Since some areas, especially nursing homes, are believed to account for a major proportion of all the damage done, they deserve separate attention and treatment. Instead of profiting from purchases of goods or services from a corporation in which the officer has an interest, here real estate manipulations make it possible to reap profits from the property the officer owns (or once owned) and which is now used by the not-for-profit corporation. One way is for the owner of a property (land, building, nursing home, or hospital) to set up a not-for-profit corporation of which relatives, friends, or long-standing business associates—and often the owner himself—become the trustees. The not-for-profit corporation then buys or leases the properties from the owner at highly inflated prices much above the market terms of purchase.

A 1970 Senate Finance Committee report pointed to the profit-motivated conversion from proprietary to "not-for-profit" ownership as a growing problem. One instance among several that the report cited involved a 160 bed hospital that had been operating for eighteen months. It had been set up as a proprietary hospital for investment purposes by the hospital administrator and a group of businessmen who then converted it to a not-for-profit institution. Purportedly, the not-for-profit organization taking over the hospital was set up by three disinterested citizens concerned with the welfare of the community. The owners furnished the not-for-profit group with an appraisal of the hospital's worth to be $5 million (although the Internal Revenue Service later contended in litigation that the hospital had a fair market value of $2.9 million), and this was the price paid. The sales agreement provided for the continued employment of the pro-

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prietary hospital administrator, and since his share of the purchase price as a former stockholder was to be paid out of future hospital earnings, he was also accorded a great deal of autonomy in controlling operations. After the sale was consummated two other former stockholders became members of the board of directors.[46]

Mary Adelaide Mendelson has described the conversion from "for-profit" to "not-for-profit" status of a Cleveland nursing home. In 1971 the owner of this nursing home sold it to a not-for-profit organization, a Baptist church, which was to expand it to encompass a family training, day care, and health services center. The church became responsible for the former owner's debts, plus its own mortgage with a bank and a second mortgage with the former owner. Thus,

> The nursing home, which had been built with little or no down payment, and was purchased with no down payment at all, now served as collateral for debts totalling $2,695,000. The mortgage obligations had doubled, and the home now enjoyed the advantages of nonprofit status. As for [the owner] he had turned a debt of $1.1 million owed by him into a debt of $1 million owed *to* him.[47]

Mendelson went on to note that because the home's mortgage would require, for the next twenty years, monthly payments of $22,000 while the Medicaid reimbursement rates for most of the patients' care was fixed, the only way that the payments could be met was to cut the cost of care. The result, state inspectors' reports indicate, was poor quality care. Staff was cut and the following year the State Medical Review Team noted the effects of the staffing shortage: poorly groomed patients, dehydrated patients, and a pervasive odor of urine. Subsequently, state personnel had to be sent in to investigate why fifteen patients, an abnormally high number, had died in the home in a single month.[48]

Leasing arrangements can be another source of profit. Recently, a well-known dealer in nursing home construction attempted to have a small liberal arts college, of which he was chairman, buy from him four nursing homes which he owned, and then lease them back to him. The motive seemed to be a desire to boost artificially the value of the real estate in order to increase the reimbursement for rent that he would be entitled to receive under Medicaid.[49]

Another example entails a husband and wife team in White Plains, N.Y., who constructed a sixty-six bed nursing home under the ownership of a real estate company of which they were the sole stockholders. The home's construction cost was approximately $779,800 of which $700,000 had been financed by an FHA guaranteed mortgage. Shortly before the home opened, the owner entered into a lease agreement with his real estate company—that is, with himself—to

[46] United States Senate Finance Committee, *Medicare, Medicaid: Problems, Issues and Alternatives* (Washington, D.C., 1970), pp. 141–142.

[47] Mendelson, *Tender Loving Greed*, p. 200. For an example of circumventing a law which limits kidney dialysis centers to not-for-profit corporations in New York City, see *Barron's*, October 20, 1975.

[48] Mendelson, *Tender Loving Greed*, p. 201.

[49] *The New York Times*, February 27, 1975.

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lease the facility and run it as a proprietary home. A few years later, he converted the home into a not-for-profit corporation. He then applied to the state for permission to sell his leasehold to the newly organized not-for-profit corporation of which he and his wife were members of the board of directors. Although at first state officials were apparently reluctant to approve the transaction, they eventually granted the home not-for-profit status. Next, the owners arranged for the not-for-profit corporation to lease five-year-old equipment, estimated to be worth $198,000, at an annual cost of $24,000 over a fifteen year period—$360,000 all told. Thus at the end of the lease term, the real estate company was expected to have realized a profit of $195,000 and still own the property free and clear. The not-for-profit corpoartion would then be permitted to exercise an option to buy the property, which had originally cost $780,000, for $900,000.

> The total profit to the [owners] would then be $1,095,000—not bad at all, considering that the most the [owners] themselves would have put up, with the FHA-insured mortgage, is $80,000. Payments on the mortgage for $700,000 which provided the balance of the original cost, would have been covered by the payments under the lease. That, of course, is in addition to their profit on the equipment. The term "nonprofit" clearly does not include the [owners'] share of the deal.[50]

An analysis by a state health department official showed that the money needed to meet these lease payments was slated to come out of patient care; specifically, the home's projected operating budget indicated a major portion would be provided by skimping on patients' meals. Indeed, a 1970 state audit later revealed that 24 percent of this not-for-profit home's expenditures went into the pockets of its owner-operator-trustees.[51]

Regulatory implications

Here the correctives are basically the same as those suggested above for self-dealing: no transactions should be allowed between owners and their relatives and the officers of a not-for-profit corporation when these persons are one and the same or related.

Legal provisions should be adopted similar to those regulating the relationship between persons donating funds to establish a foundation and the foundation which results. Thus, former owners and their relatives should not be permitted to serve on the board of trustees of the newly created not-for-profit institution.

In the case of providers of health services such as nursing homes and hospitals, it is also necessary to rewrite substantially the regulations covering reimbursement rates for Medicaid in those states where provisions for reimbursement increases presently in effect encourage frequent sales and changes in

[50] Mendelson, *Tender Loving Greed*, p. 205.
[51] Ibid.

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leasing arrangements as well as concealment of personal relationships among the parties involved in these transactions. The New York Temporary State Commission on Living Costs and the Economy recommended, and the New York State Legislature enacted into law, a bill specifying that the Medicaid reimbursement formula no longer be tied to changes in ownership or lease.[52] Though this change was made primarily to combat real estate manipulations of for-profit homes, the reform is also likely to discourage the profit-motivated conversion of nursing homes from "for-profit" to "not-for-profit."

Finally, we note that some state statutes (e.g., California, Georgia) permit under certain circumstances what amounts to the conversion of not-for-profit properties to for-profit status. This is accomplished by allowing individuals associated with a not-for-profit corporation to pocket a share of its assets upon the corporation's dissolution. Thus, the California statute reads:

> A nonprofit corporation may be formed by three or more persons for any lawful purposes which do not contemplate the distribution of gains, profits or dividends to the members thereof. . . . Carrying on a business at a profit as an incident to the main purposes of the corporation and the distribution of assets to members on dissolution are not forbidden to nonprofit corporations but no corporation formed or existing under this part shall distribute to any of its members except upon dissolution or winding up.[53]

To prevent the possibility of persons creating not-for-profit corporations in order to claim their assets upon dissolution, such statutes should be altered to require (as some federal and state statutes already do) that the assets of a dissolved not-for-profit corporation be donated to another not-for-profit institution or organization, and not distributed to the members.

Unreasonable and Uncustomary Fees, Salaries, and Fringe Benefits

The easiest way to violate the essence of a corporation's not-for-profit status is to provide its staff or officers with unreasonable and uncustomarily high fees, salaries, or fringe benefits. In principle, income is not a violation of the not-for-profit concept, and as it is rather difficult to establish what is proper and what is exaggerated compensation, this area is rather difficult to regulate. Thus, attention must focus on those situations in which the income provided is manifest.

One such example is a hospital paying for the poetry and drama lessons of the physicians' children.[54] No reasonable person would define such fringe benefits as typical, common, or legitimate. That a not-for-profit hospital can provide

[52] For the recommendations see The Temporary State Commission on Living Costs and the Economy, Report to the Governor and the Legislature on *Nursing Homes and Health Related Facilities in New York State* (Albany, N Y., April 1975), pp. 13–14; for accounts of the debate over and passage of the bill see *The New York Times*, July 10 and August 8, 1975.

[53] West Ann. Corp. Code § 9200 (1949).

[54] *The New York Times*, March 15, 1975.

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such benefits is ironic: this case involves New York City voluntary hospitals that have contracted with the city's municipal hospitals to be paid for providing the municipalities with such services as physician and nursing assistance and laboratory work. These affiliation contracts were entered into by the city because it could not attract the needed qualified personnel for its own hospitals. By paying the voluntaries, however, they are perpetuating the problem, since the voluntaries use the contract money to pay for the education of doctors' children and for poetry and drama lessons, terming these fringe benefits.[55] Thus, the city is paying the voluntaries because it cannot attract good personnel, and the voluntaries use this money to attract the personnel via benefits the city cannot match.

The ambiguities of the law and regulations concerning not-for-profit status of a corporation are illustrated by the trial and appellate decisions in *American Automobile Association* v. *Bureau of Revenue*.[56] The AAA claimed tax-exempt status as a not-for-profit corporation despite many discounts and other benefits it distributes to its members. The court held that "Profit does not necessarily mean a direct return by way of dividend, interest, capital allocation or salaries. A saving of expense which would otherwise necessarily be incurred is also a profit to the person benefited."[57] However, the New Mexico Court of Appeals rejected this analysis because there were no income or dividends, the corporation was chartered without capital stock, and the corporation's *purpose* was not profit so that *any* benefit conferred upon its members was "wholly irrelevant." As we see it, a third position seems worthy of consideration: some benefits to members are not, *prima facie*, evidence of profit, as of course salary is not. However, unreasonable and uncustomary benefits are, because they are but a different form of what in effect amounts to sharing of profit.

An example of out-of-line salary seems to be provided by a prepaid health plan contractor who employed a physician as plan administrator at an annual salary of $120,000 plus expenses. The contract with the physician read:

> Employer recognizes employee is involved in other medically related ventures such as inhalation therapy contracts and other non-medically related business ventures. These ventures shall at all times remain under the strict control and ownership of the employee.[58]

That one can establish what reasonable and customary salaries are is illustrated by court cases which have on a number of occasions disallowed salaries and fringe benefits in part because they failed to satisfy criteria of reasonableness. While the only cases we have come across deal with profit-making corporations, we see no reason why the same procedures may not be applied to not-for-profit ventures. In the case of *Miller Box, Inc.* v. *U.S.*,[59] a taxpayer (a

[55] Ibid.
[56] 525 P. 2d 929, 86 N. M. 569 (1974), *rev'd.* 533 P. 2d 103.
[57] 525 P. at 932.
[58] *Testimony, Gerald Hawes and Robert Christophel, "Medicaid—Home Health."*
[59] 488 F. 2d 695 (5th Cir. 1974).

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corporation owner) sued the Internal Revenue Service to recover an alleged overcollection of taxes. The IRS had disallowed the taxpayer's claim under the section 162 deduction for "a reasonable allowance for salaries or other compensation for personal services actually rendered. . . ."[60] The plaintiff had paid his brother more than $1 million plus $24,000 for two years' work as manager of two corporations. As grounds for rejecting this payment as unreasonable the court noted (1) that the brother's immediate prior salary as a farm worker was $200 per week, (2) the corporate work was not complicated, and (3) comparable positions generally paid $50,000 and at most $100,000. The court further stated:

> It is the duty of the directors of the corporation . . . to bargain with an employee for "fair and advantageous terms" to obtain the service of such individuals.[61]

Thus, a standard for reasonable salaries and fringe benefits keyed in part to the nature of the duties involved, in part to salaries in comparable positions, and in part to employee qualifications is not unenforceable.

Regulatory implications

Whenever fees, salaries, and fringe benefits in not-for-profit corporations significantly exceed those in comparable institutions, the not-for-profit status of the corporation is being circumvented. How this practice can be effectively prevented is less clear. However, in those cases where such institutions draw on public funds, the government regulatory apparatus should examine fees, salaries, and fringe benefits as compared to similar institutions, and refuse to certify or recertify for participation in government programs those institutions providing income grossly above the norm.

Guidelines would need to be established for determining when fees, salary levels, and fringe benefits have begun to exceed the reasonable and customary. Flexibility within the limits of reasonableness could be permitted in establishing a range within which differences in qualifications among individuals could be accommodated.

As the experience of private insurers as well as Medicare and Medicaid suggest, determining reasonable and customary charges solely by reference to the particular professional or occupational group in question tends to place the setting of allowable fee or salary levels at the mercy of collective action by a significant segment of the group (which will benefit by high charges). Thus, it would be advisable to compare what members of a profession claim are their reasonable and customary fees or salaries with what is paid to persons of other professions doing work involving similar skills and level of training. Thus, a nursing home administrator with no professional degree or education beyond a high school

[60] 26 USCA § 162.
[61] 488 F. 2d at 707.

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diploma should not be able to justify earning more than the average hospital administrator by referring to other nursing home administrators. Nor would chiropractors be permitted to charge fees exceeding those received by surgeons.

Shoring Up the Integrity of the Not-for-Profit Sector

This article points to four types of abuses which violate the underlying concept of the not-for-profit corporation, the source of its legitimacy, and suggested ways these abuses may be curbed. This is not to imply that we are "down on not-for-profits" or that they are "no different" from profit-making proprietaries. On the contrary, we consider them an essential, important part of the three sectors of America: the government, the private sector, and the not-for-profit sector.

Actually, some have argued that the not-for-profit sector, or—as it is often referred to—the voluntary one, is the "best" sector of the three, while others hold that the private sector is more efficient and the government sector more egalitarian.[62] This is hardly the place to settle this age-old argument of which sector is "the best," nor is it necessary. Hardly any one questions the fact that America is a pluralistic society, one in which a range of choices is offered precisely by there being services provided by different sectors. At least, since Tocqueville it has been widely recognized that in this pluralistic spectrum, the voluntary, not-for-profit sector is a main source of protection of individual freedom and initiative, of public interest service, of concern for quality of service and quality of life. Undermine the voluntary sector and America's choices are reduced to reliance on the government and the profit makers. There can thus be no question about preserving the integrity, and thus the legitimacy, of the voluntary, not-for-profit sector.*

[62] For additional discussion see Amitai Etzioni, *Social Problems* (New York, 1976), chap. 5. For some relevant studies see Richard K. Earner, "Nonprofit vs. profit: What data do you see?: corporate executive" and Richard L. Johnson, "Data show for-profit hospitals don't provide comparable service: consultant," *Modern Hospital*, 122 (April 1974), 116–118; Sharon Winn, "Analysis of Selected Characteristics of a Matched Sample of Nonprofit and Proprietary Nursing Homes in the State of Washington," *Medical Care*, 12, no. 3 (March 1974), 221–228; and *Fornia*, Blue Cross Reports Research Series No. 9 (Chicago, March 1973).

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The Media and the Presidency: An Exchange Analysis

MICHAEL BARUCH GROSSMAN
FRANCIS E. ROURKE

The concept that journalists often use to explain their interaction with government officials is that of an adversary relationship. In their view officials try to convey an image of what is happening in government that is favorable to themselves or their program, while reporters seek instead to present the public with a plain picture of the truth—warts and all.[1] Out of these divergent roles and interests conflict inevitably emerges, and journalists commonly regard the struggle as one in which essentially weak reporters pit their courage and resourcefulness against a panoply of formidable weapons in the hands of officials, including deceit and intimidation.

While the adversary element in the relationship between the media and the government is clearly a strong one, it fails to explain a wide range of behavior and activities that occur in the contacts between the parties involved. Most especially, the adversary concept provides no mechanism for understanding the enormous amount of cooperation and even collaboration that takes place in the interaction between press (used synonymously in this article with the term "media") and government. Of course there is a strongly held view among journalists that the relationship between the president and the media is affected by

[1] A typical expression of this perspective may be found in William L. Rivers, *The Adversaries: Politics and the Press* (Boston, 1970).

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so many unpredictable variables that it cannot be analyzed in any systematic way. As Patrick Anderson once described this relationship: "it is a no man's land of power and personality, bluff and bluster, experience and expedience."[2]

Social scientists, however (with what journalists often regard as a notable lack of common sense), continue to look for concepts with more explanatory power than the adversary model in order to increase their understanding of the relationship between the press and government officials. One concept that has received increasing attention in the literature of the field is that of exchange—the notion that reporters and officials have reason and resources to trade with each other, and that this interdependence is the key to understanding their interaction.[3] As yet, little attention has been given to tracing the precise contours and character of this relationship when it is viewed from an exchange perspective. In this analysis we seek to delineate more precisely than has yet been done the assets each participant brings to this exchange system, as well as the contrasting strategies they employ in seeking to alter in their favor the balance of trade between them.

The analysis begins with an examination of the assets and advantages the president enjoys in this relationship—a range of resources that makes it possible to describe the president's traditional position as one of dominance in the transactions that have taken place between the White House and the media. In the second part of the article we shift to an examination of the various strategies used by the media to strengthen their trading position. Some of these press strategies have been employed with increasing effectiveness in recent years, suggesting that a fundamental alteration may be taking place in the balance of trade between the White House and the news media in contemporary American politics. However, the resiliency of the presidency in American politics has been extraordinary, in spite of the setbacks incumbents in the office sustained from Vietnam and Watergate, and it is by no means clear that the dominance of presidents over their exchange relationship with the media has been seriously threatened.

Presidential Ascendancy

The fundamental objective of both executive officials and the media in their exchange relationship is to establish a balance of trade that will be favorable to them. The key to accomplishing this objective lies in the ability of either side to select the items of information that will be defined as news and disclosed to the public. Executive officials seek to confine the choice as much as possi-

[2] *The Presidents' Men* (Garden City, N. Y., 1969), p. 22.

[3] A recent study which makes at least implicit use of exchange in analyzing the relationship between press and government is Leon V. Sigal, *Reporters and Officials: The Organization and Politics of Newsmaking* (Lexington, Mass., 1973). For a description of the exchange process as it works in the United Kingdom, see Jeremy Tunstall, *The Westminster Lobby Correspondents* (London, 1970), esp. pp. 43–55.

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ble to items that will be favorable to them. Reporters, on the other hand, try to broaden the choice so that all potential items of news—both favorable and unfavorable—are included in the pool from which the selection of items to be published will finally be made.

Clearly, the executive branch, especially the White House, is in a very strong position to accomplish its objective of having the media publish the news which it wishes to have featured. In contemporary American politics the president, and such other high executive officials as the secretary of state, are the principal news makers. The communications media perceive them as being the political actors in whom the public has the keenest interest, and they invariably tend to give prominent display to news that these officials generate. Hence, while executive officials tend to see the news media as molders of public opinion, the media just as often see themselves as captives of it. In their view they publish news concerning matters about which the public likes to read. Max Frankel expressed the conventional press attitude when he wrote that "readers shape a newspaper as much as it shapes them."[4]

The News Agenda

A fundamental advantage that executive officials thus have in dealing with the media is the fact that their activities sit so high on the media's agenda of subjects to cover. For no official is this advantage more clearly pronounced than it is for the president—an executive official with a virtually hypnotic attraction for the media, though in the Nixon administration it more often seemed to resemble "a fascination with the serpent." Of the president's bargaining power in dealing with the media, George Reedy has written that the president enjoys "a trading power" in dealing with reporters that "must be seen at close quarters to be credited."[5]

Moreover, there are certain areas of policy, most notably foreign affairs, where the president's ability to determine what news he will exchange for publicity is almost unlimited. Consider, for example, the president's advantages when he travels abroad. A foreign trip creates a ceremony of events—arrivals, meetings, parades, and departures—which the media cover lavishly, thus giving the president a maximum of favorable exposure to the audience at home in the United States. Moreover, in this kind of setting, reporters are almost entirely dependent upon official briefings and handouts for the news they receive in exchange for the bountiful coverage they supply. Indeed, reporters commonly suspect that visits abroad have been arranged precisely because the exchange that takes place on such occasions is so much in the president's favor.

What the foreign trip thus illustrates is the president's ability to shape not only the selection of the news that will be reported about particular events but

[4] Max Frankel, "Letters from Readers: The Press and the President," *Commentary*, 52 (July 1971), 6, 8, 10, 12, 16, 18, 20.

[5] George Reedy, *Twilight of the Presidency* (New York, 1970), p. 101.

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even the selection of events about which the media will in fact carry news. It is a power that lies in the president's hands in domestic as well as in foreign affairs. Within the United States, the president makes news when he visits an area where a flood or some other natural disaster has struck, addresses an annual meeting or convention of some private organization, proposes new legislation, or engages in a host of other activities—private as well as public. Unlike other politicians, a president's biggest problem is not that of getting into the newspapers, but of staying out of them when he conceives it to be in his interest to do so.

But however useful domestic travels may be for a president, they are not freighted with the same emotion as foreign trips, where the chief executive is dealing with heads of state in other countries, or foreign adversaries (the two categories may be synonymous in many people's eyes). Here strong nationalist emotions are aroused, and there is usually widespread public support of the president as the representative of the nation.

Structuring Exchange Processes

The ability of executive officials to control the exchange process with the media does not depend entirely upon the fact that they can exploit the media's agenda of interests. It turns also on their ability to structure and manipulate the various processes through which exchange takes place. For the conventions and regulations that govern many of these processes are established by executive officials themselves.

Presidents, for example, have considerable control over the communications medium they will use in their exchanges with reporters, as well as the ground rules that will prevail when these exchanges take place. Witness, for example, the obvious preference President Nixon had for radio and television speeches where the chief executive has complete control over the topics he will discuss as opposed to the press conference where the news agenda may be controlled by reporters. The only flaw in this preferred communications setting, from Nixon's point of view, was the so-called instant analysis by network reporters that commonly followed presidential addresses, where network reporters raised questions about matters the president had discussed or drew attention to what he had failed to mention. The administration thus worked mightily, and not without success, to induce the networks to dispense with this analysis.

Of course, presidential efforts to control the interaction between the White House and the media did not begin with Nixon. For a very long time presidents have used a variety of methods to manipulate their exchange processes with reporters. They have planted questions to which they wish to give answers at news conferences, or they have timed public announcements so that the media are distracted from items or events that the president does not wish to see publicized, such as the activities of a political rival.[6]

[6] See, in this connection, Robert J. Sickels, *Presidential Transactions* (Englewood Cliffs, N. J., 1974), p. 161.

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The repertoire of tricks—dirty and clean—that presidents can use in manipulating exchange processes with the media even includes veiled threats to reporters. The well-publicized FBI investigation of CBS correspondent Daniel Schorr initiated by the White House in 1971 was by no means the first episode of its kind. Joseph and Stewart Alsop reported having been subjected to a similar kind of harassment during the Eisenhower administration in 1957.[7]

To be sure there are limits to the White House's ability to draw the attention of reporters away from major stories. The interest of reporters in the Johnson administration's Vietnam policy and the Nixon administration's Watergate dilemma ultimately overcame efforts by the White House to use manipulative techniques to keep unfavorable stories out of the media. But even in these instances involving the biggest news stories of the last ten years, the advantages the president brings to the exchange relationship were successfully employed to postpone the widespread appearance of these stories. In the case of the Johnson administration, stories which conflicted with White House claims about the success of the Vietnam policy did not become widespread until after the massive American build-up was well underway; and Watergate did not emerge as the dominant media story until after the presidential election of 1972.

Presidential Secrecy

The secrecy surrounding many of his activities is one of a president's most formidable weapons in his efforts to maintain a favorable balance in the exchange of news for publicity with reporters. Of course there are many sources from which executive secrecy springs. Much of its growth in modern times can be linked to pressures emanating from bureaucracy, such as the desire of officials at all levels of organizational life within the executive to conceal mistakes, or the special obsession of national security agencies with the protection of information defined by them as national security secrets. And there are many groups outside the government which support and sustain practices of secrecy by executive agencies.[8]

In truth, however, there has been no more powerful force behind the growth of secrecy in the United States than the presidency itself. Witness, for example, the assumption by all recent presidents that they have an executive privilege to withhold information from disclosure when they choose, as well as the right to maintain a classification system by executive order under which millions of documents are concealed from public view on the grounds that they contain information that would damage the country if disclosed.

One of the clearest utilities of such secrecy for presidents is the advantage it gives the White House in dealing with the news media. For one thing, it enables a president to restrict the total amount of information that will be made

[7] See Rivers, *The Adversaries*, pp. 30–31. For an account of the episode involving Schorr, see David Wise, *The Politics of Lying* (New York, 1973), pp. 262–269.

[8] See Francis E. Rourke, "Bureaucratic Secrecy and Its Constituents," *The Bureaucrat*, 1 (Summer 1972), 116–121.

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available to reporters in return for publicity and to exclude from this exchange process items that in his judgment may be particularly unfavorable to him. As one observer has put it: "the ability to withhold information from other governing bodies and to determine with whom to share it is one of the strongest manipulative powers of the executive in modern democratic states."[9]

Another advantage that a president derives from secrecy is that it greatly facilitiates the cooptation of reporters, since it creates a scarcity of information in certain areas of presidential activities, and presidents can supply certain favored reporters with privileged access to stories not available to their colleagues. To be sure, even in a quite open information system a president can always grant an exclusive interview that will be a great asset to the reporter selected to be the chief executive's confidant. In such an interview a president may reveal aspects of his character or personality that have been hitherto shielded from public view, or he may use the interview to announce some new departure in policy.

While it is inconsistent with their strong professional commitment to the "people's right to know," some reporters may reach an accommodation with this secrecy system, if it protects monopolistic advantages they enjoy over their competitors in the news media as a result of their privileged access to information in the hands of the president or other high executive officials. In a situation of this sort the power they yield to the White House under an information system characterized by secrecy is offset by the advantages they gain over other reporters.

Of course, the capacity to violate the secrecy system and leak information to reporters is not the exclusive prerogative of presidents but belongs to other officials as well. Subordinate executive officials can even disclose information to the news media as a covert means of opposing a president or forcing him to change his objectives.[10] If controlled violations of the secrecy system serve the president, they are also a useful weapon in the hands of his adversaries within the executive branch. Moreover, leaks may also aggrandize the power of presidential foes in both Congress and the media, to whom subordinate executive employees commonly channel their surreptitious disclosures.

Dilemmas of the Media

For the most part, representatives of the media have not been successful in resisting efforts by the president and the White House staff to establish and define the system of exchange which governs their relationship. While reporters

[9] Itzhak Galnoor, "Government Secrecy: Exchanges, Intermediaries, and Middlemen," *Public Administration Review*, 35 (January/February 1975), 35.

[10] For an excellent analysis of the role of leaks, see Sigal, *Reporters and Officials*, pp. 143–148; Leon V. Sigal, "Official Secrecy and Informal Communications in Congressional-Bureaucratic Relations," *Political Science Quarterly*, 90, No. 1 (Spring 1975), 71–92; and Morton B. Halperin, *Bureaucratic Politics and Foreign Policy* (Washington, D.C., 1974), pp. 173–195.

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can pursue strategies designed to increase their ability to control the selection of news, the benefits they derive from doing so often accrue to them as individuals rather than to the media as a whole. Reporters who try to expand the pool of information available to the media beyond those items which the president chooses to publicize may hope that their efforts will redound to the benefit of a public "right to know." Their dilemma lies in the fact that representing the interests of the media may not be consistent with their own personal objective of securing an advantage for a news enterprise operating in a competitive setting. Efforts to prevent presidents from exploiting this dilemma have seldom been successful because reporters have not developed a means of cooperation that would enable them to cope more effectively with the strategies employed against them.

In addition to the absence of organization among reporters, there are continuing pressures on journalists from the enterprise which employs them to provide a steady stream of information about the activities of the president and the major policy and political decisions in which he is involved—the so-called hard news that the media regard as their major product. It was in large measure as a consequence of these pressures that the Watergate story was not uncovered by the White House press corps, which tended to regard Watergate as a "police story" which was "not on the White House beat."

Although exchange is initiated and defined by the president, media representatives do have techniques available for altering the relationship in their favor. First, reporters can broaden their network of contacts to include officials in the executive branch other than the president and those he designates as his spokesmen. Second, reporters can engage in detective work—more popularly referred to today as investigative reporting—which provides them with information other than that released by the White House. Third, reporters can use various methods to compel the president to release information he is withholding. Fourth, reporters can attempt to negotiate changes in the manner in which information is made available to them. Of these four methods the one on which reporters have placed the greatest emphasis has been upon their efforts to develop their own news sources.

Broadening the Network of Contacts

Given the constraint that much of the information about the activities of the president, the White House, and the executive branch does not become public until officially released, reporters who wish to do more than rewrite press releases attempt to develop contacts among executive officials who, they hope, will supply them with additional information or who will present information in a more forthright manner than the president or his designated spokesmen.[11] Such contacts are not made by all reporters since their acquisition requires the

[11] Dan D. Nimmo, *Newsgathering in Washington* (New York, 1964), pp. 106–120.

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presence of opportunity and an ability to convince the contact that the reporter can be trusted. But if a majority of those accredited to the White House do not venture beyond the arrangement that allows them access to the press room, news releases, briefings, news conferences, and backgrounders, the best and brightest reporters have acquired an extensive web of contacts throughout the executive branch.

Some reporters have a head start in their efforts to acquire information that the president would prefer to keep under his control. They mix easily with officials with whom they share similar backgrounds or have a prior acquaintance. Some reporters have been quite open in their attempt to exploit friends and acquaintances who become government officials.

But most contacts reporters acquire within the executive branch are not based on such special ties but are the product of their continuing assignment at the White House and to other major Washington news centers. Ordinarily it is difficult to convince these contacts to provide significant information that has not been cleared through official channels. However, there are circumstances when officials are willing to take the risks associated with disclosure and reporters may then be able to acquire information that the White House is trying to withhold.

Some officials may have a special interest in releasing information to reporters if they believe that the ensuing publicity will be helpful to them in securing a higher presidential priority for their policy goals. In this situation the reporter is in the unusual position of possessing superior bargaining resources. Officials have to sell the reporter on the importance of the story about their programs because they have not been successful in convincing their superiors of its value. In the course of these efforts the official may be forced to give an aggressive reporter a second story about policy conflicts in the executive branch. Although the relationship of confidence and trust with the contact may prevent reporters from attributing either story to their informant, they have been provided with a lead that they can use to confirm the story through other channels. The second type of story has caused particular distress to presidents who believe that the publication of news about internal dissent will be detrimental to the success of their administration. In extreme cases—the administrations of Presidents Johnson and Nixon for example—the publication of such stories led the White House to take strong measures to improve their own exchange position by shutting off leaks.

A second situation in which officials may surreptitiously disclose information to reporters is when there are deep conflicts within the executive branch over major policy issues. On such occasions the president can take harsh measures to prevent leaks to the press, as all recent presidents have done, but instead of stopping the flow of information such acts may force officials to seek some clandestine means of getting their story to reporters.[12] Moreover, it is precisely

[12] See Wise, *Politics of Lying*, pp. 278–311.

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at the point when the president begins to apply pressure to prevent his subordinates from talking that a reporter can reap advantages through confidential relations with well-placed contacts in government. Few executive officials "go public" on these occasions—there is almost no tradition of "resignation in protest" in the United States.[13] They are far more likely to try to put their case before a broad constituency by covert leaks to their friends in the press who they expect will report their disagreements while shielding their identity.

A few reporters have even been able to continue their friendship and confidential relations with political leaders who have become president. They have profited from such a relationship by receiving news of governmental decisions before this information is generally released as well as inside stories on the personal activities of the president and his family. Some critics of this practice would argue that it is of little value to the press as a whole, and that a reporter with highly placed friendships may find that he has traded his facility for critical analysis for what amounts to tidbits of information.[14] Moreover, a president's friends in the media may find that when he does have something significant to say, he tends to seek out one of the more prestigious journalists for his revelations—especially reporters who control access to the evening telecasts through which so many Americans now receive the news.

Detective Work

Reporters have been able to overcome some of the president's advantages in the struggle over information by applying deductive reasoning to widely scattered information that is in the public domain but has been generally ignored. This type of reporting may have been perfected by Western reporters operating in totalitarian societies like the Soviet Union where the government places severe restrictions on official contacts with reporters, but it has borne fruit in Washington as well. Successful practitioners of this art in the United States use as raw materials government documents, news releases, speeches, testimony, or even material already published or broadcast in the media. Relying upon these fugitive sources, they piece together a picture of events which is often very different from the official version the government has presented.

The clues used in this detective work may be found in an obscure section of the budget which indicates a major shift in policy, the statistical portion of one report which contradicts the findings of another, or, in the best tradition of Kremlinology, the appearance or absence from an important meeting of a high official, since this fact might either indicate a change in his or her status

[13] See Edward Weisband and Thomas M. Franck, *Resignation in Protest* (New York, 1975).

[14] See Reedy, *Twilight of the Presidency*, p. 109, for a discussion of the relationship between newspaper columnist William S. White and President Lyndon Johnson and its negative impact upon White's performance as a reporter. For a reporter's own assessment of a highly personal relationship with a president, see Benjamin C. Bradlee, *Conversations with Kennedy* (New York, 1975), p. 22.

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or the likelihood that matters with which the individual is associated were or were not discussed. In "detective work" of this sort of a story can be covered without utilizing official channels or relying on leaks from contacts. The coordinator of the *Washington Post's* special Watergate staff has described the way the newspaper's reporters worked on that story:

> The *Post's* early Watergate coverage, in my view, resulted from anything but leaks. From the beginning, what leaks we got were attempts to steer us away from the true story. . . . Instead our reportage consisted of hard footwork on the part of Woodward and Bernstein, who got little scraps of information from minor figures on the periphery of the scandal. Through persistence and imaginative questioning, the two reporters would piece together enough of a story to put a case before investigators or sources close to the investigation, who would either confirm or deny their findings. Occasionally such sources, like Deep Throat, would be of more help, but not often.[15]

At least one prominent reporter has used this detective technique so successfully that he has avoided both the exchange relationship established by the president and that initiated by reporters who use their contacts with subordinate officials to obtain information not released by the White House. I. F. Stone's reporting, which might be termed journalism through content analysis, relies heavily on his own research and deduction and very little on possibly tainted "leaks" from executive officials. Stone claims that almost all his research is done in libraries.[16] An example of his successful use of deduction to obtain a major scoop was his analysis of the government's account of the events involving American and North Vietnamese ships in the Gulf of Tonkin in 1964. After reviewing this account, Stone concluded that President Johnson's claim that there had been an unprovoked attack on American vessels operating in international waters was not substantiated by the evidence. Stone's ability to operate in this way is in part the result of his freedom from the pressures of an editor who could assign him stories to cover or make him meet deadlines. But a more fundamental reason why other reporters have not followed his example is that either they or their editors are reluctant to publish an analysis sharply different from the president's position without some confirmation from what they consider an authoritative official source. Moreover, for many journalists, even those given the opportunity to write background "news analysis," the adoption of Stone's method would lead them too far from what they regard as the real world of hard news.

Most of the major news organizations have staff resources that would enable them to carry on a very formidable kind of news detection operation. But there are major obstacles to these organizations adopting detective work as a permanent technique in their coverage of the president. For one thing, as Sigal points out, "the overriding organizational imperatives for reporters are to get

[15] Barry Sussman, *The Great Coverup* (New York, 1974), p. 189.

[16] In conversation with one of the authors, February 1975.

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news and to get it first."[17] Unless they are at the center of a story like Watergate, reporters and their editors are reluctant to accept the slower pace that investigative reporting requires. Second, the ethos of journalists makes detective work, when it involves coordination among several members of a news bureau's staff, resemble what reporters disparagingly call "pack" or "group" journalism—a derogatory term applied to reporters assigned to a story who eventually begin to think and write alike.

Compelling the President to Release Information

An alternative technique available to reporters in their efforts to shake loose information that is being withheld involves applying pressure on the White House to make public the item they want disclosed. Three methods can be used for this purpose. Reporters can try to embarrass the president at a televised news conference by asking him why he has not released a particular document and their newspapers can publish editorials raising the same question; they can seek congressional help in obtaining the information they seek; or they can go to the courts and use the process of legal compulsion to acquire it.

As an example of the kind of pressure that can be exerted, there is reason to believe that the press had some impact in foreclosing President Ford's option not to publish the Rockefeller Commission Report on the Central Intelligence Agency in 1975 when it broadcast the rumor that the administration planned to treat this report as a classified document. Publication of this rumor provoked an adverse reaction in Congress, and the administration quickly announced that the report would be made public.

Up to this point the press has not taken very much advantage of the legal opportunities available to it under the Freedom of Information Act to get documents declassified and into its domain. The law, a newly amended version of which went into effect in February 1975, restricts officials' authority to withhold information from the public, and provides administrative and legal opportunities for individuals and organizations to challenge government decisions refusing access to materials in official files. According to an inquiry made by *Editor and Publisher* of the FBI and the CIA five months after the amended act went into effect, only 2 percent of the requests these agencies received for the release of information had been submitted by journalists.[18]

The *Editor and Publisher* account quoted the chief of the FBI's Freedom of Information Act section as speculating that reporters are not using the provisions of the act to compel disclosure because requests for information may not obtain a response until ten days after they are received. Reporters who need information quickly use methods that are better suited to the requirements of a deadline. After ten days have passed, the item of information they are seeking

[17] Sigal, *Reporters and Officials*, p. 52.
[18] *Editor and Publisher*, May 24, 1975.

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may no longer be news, so reporters may feel compelled to prepare their story without seeing information in a government file. A second reason why reporters may be reluctant to use legal compulsion to obtain information is that the adversary nature of this type of action might upset the carefully nurtured relations they have established with their contacts, who may fear becoming publicly identified through litigation. Resort to legal processes may undermine a relationship based on informal bargaining. Moreover, after paying this heavy price for using legal compulsion to obtain information, the reporter may find that the information thus obtained adds little to the story with which he is concerned.

This situation might change if a news organization were successful in using the Freedom of Information Act to secure the release of an important document. The Rockefeller report on the abuses of the CIA could have been a test case had President Ford elected not to release it, since several reporters had put in requests to receive a copy at a time when it was still marked "President's eyes only."[19] If any reporter is successful in using the Freedom of Information Act to obtain a major news story, the reluctance of the press to take legal action to force the disclosure of information could disappear.

Negotiating Changes

If we look at the process of exchange between executive officials and media representatives, it is clear that both sides take actions based on their perceptions of the resources, needs, and likely actions of the other side. Most striking is the informality of the relationship, the fact that it is based on unwritten rules, unnegotiated exchanges of commodities, and mutual understandings.[20] It is important to remember the informality of this relationship in appraising some of the ways in which the press is able to improve its exchange relationship with the White House through negotiations. On the surface at least the president has virtually complete authority over the processes through which exchange takes place with the press. He can decide when to hold press conferences, what form they will take, and what rules will govern their presentation to the public. His aides determine how the daily press briefings will be conducted, which reporters get to go on presidential trips, and the rules governing those conferences known as "backgrounders," where reporters are not permitted direct quotations or allowed to attribute remarks to their sources.

And yet the arrangements that are established very much reflect the power of the press as well as the authority of the president. The major press bureaus in Washington are able to assure the admission of the reporters of their choice to the press room, news conferences, and the daily press briefings. When "pools" of smaller numbers of reporters are selected to accompany the president on trips or to meetings where it is not feasible for all the White House reporters to be

[19] *Washington Post*, April 4, 1975.

[20] See Lewis A. Froman, Jr., *The Congressional Process* (Boston, 1967), on how exchange works through what he calls "non-negotiated bargaining."

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present, it is understood that they will include representatives of the broadcasting networks selected by the networks and wire service reporters. The White House has attempted to manipulate these processes in retaliation against reporters who have earned its displeasure,[21] but these efforts have been sporadic and never applied on a large scale.

From the perspective of the media, the rules governing access to White House sources of news may be far less adequate than those that they might be able to negotiate if they possessed a better mechanism for doing so, but they do reveal a recognition by the president and his aides that, however inconvenient it may sometimes be, reporters must have access to the president if they are to cover the White House. Moreover, the White House has shown a capacity to reform its procedures in response to press criticisms of the way in which reporters are allowed to cover the president. For example, the rules governing press conferences have been changed several times as a result of press criticism.

Moreover, reporters have begun to act in informal *ad hoc* alliances to improve their ability to get news out of the White House, although the occasions have been few and their impact as yet limited. One example of an alliance of this sort occurred in 1967 when concerted action by the *Washington Post* and *The New York Times* succeeded in transforming an "off the record" background session into an on the record news briefing.[22]

The resistance of reporters to this kind of "joint action" springs from the fear that the president rather than the individual reporter may benefit from a more highly organized press corps. The dominant group in such collective arrangements might consist of reporters so closely identified with the president that other reporters would find it more difficult to obtain items of information that the White House is trying to withhold.

The Imperial Presidency and the Imperial Media

The picture we have tried to draw in these pages is that of an exchange system that has traditionally been very profitable to presidents. The White House has been highly successful in trading the news about itself that it chooses to disclose in exchange for bountiful publicity in the various channels of communication. The net effect of this exchange process has been to greatly augment the power of the presidential office. The media provide the president with a linkage to public opinion, and it is upon this tie that a president's power ultimately rests.

On the surface, at least, the position of presidents in this exchange system remains very strong today. The tendency of the media to center its attention on the presidential office in its public affairs reporting is no less pronounced now than it has been in recent decades. The departure of Richard Nixon from office in a cloud of disgrace and under the threat of impeachment after nearly six years of constant conflict over the terms on which exchange would take place certainly

[21] See Timothy Crouse, *The Boys on the Bus* (New York, 1974), pp. 233–35.
[22] Ibid., p. 246.

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did not alter the media's conviction that the presidency is where the dramatic action is in the American political system and where reporters should concentrate their attention.

Indeed, the ease with which the media entered into a fruitful and stable exchange relationship with Nixon's successor, Gerald Ford, suggests that stability is the norm in the presidential relationship with the press. From this perspective, the conflict over exchange that was such a marked characteristic of the Nixon years represents only a temporary and aberrant phenomenon, where a president sought constantly to restructure exchange processes in his favor—in large part perhaps because of Nixon's own devout conviction that the media were trying to tip these processes against him. At the same time the media became increasingly suspicious of the accuracy of the information the White House was releasing. In the end the exchange system broke down almost completely, as the media began to look everywhere but to the president for information as to what was going on in the White House, and the president lost a great part of his ability to shape the structure of the news as presented by the media.

However, it is by no means certain that the Nixon years do represent an anomalous episode in the exchange relationship between the White House and the press. Certain trends at work in the organization and training of media personnel suggest that instability and conflict may well become chronic characteristics of the presidential interaction with the press corps.

One such trend is the increasingly important role of large news organizations in covering the president. By and large the White House is best able to dominate its relationship with the press when it is dealing with daily newspapers and local broadcasting affiliates that are located far from the media centers of Washington and New York. These provincial news organizations get most of their news from the wire services, free-lance "stringers," or in some cases a reporter or two that they send to Washington to cover the impact of the federal government's activities on their local readership. Reporters from small-scale news operations have been much more inclined to accept an exchange system under which the president determines what access they will have to the White House and what information they will be furnished when they are admitted.

Now, however, White House coverage is increasingly dominated by large national newspapers and news weeklies, as well as the major radio and television networks. These organizations have staff and other resources rivaling those of the White House itself. A newspaper like the *Washington Post*, for example, employs not only reporters but also researchers, librarians, and what are called "news assistants." Large-scale organizations of this sort can monitor the activities that the White House has programmed for media coverage, while at the same time carrying on investigative reporting into other matters from which the White House may be trying to distract them.

Moreover, their appetite for news is too large to be satisfied by official handouts and briefings. They have a myriad of daily or weekly newscasts or news columns to fill. They have well-established contacts in a variety of government

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agencies, and they vigorously compete for information on what is going on within the executive apparatus. Because of their tremendous organizational capabilities, these large-scale media organizations generate news by themselves, as well as transmitting the information the government chooses to classify as news.

The advantages the media have obtained from having in their midst large news enterprises capable of resisting White House efforts to control the flow of news have been enhanced by the increase in the number of reporters covering the White House who are competent to analyze many of the technical issues that are set before them. This increasing professional competence of reporters is another trend which is making the media much less susceptible to presidential domination. Far different was the situation in 1937, when Leo Rosten surveyed the members of the Washington press corps and concluded that they were an intellectually unimpressive lot.[23] During these years President Franklin Roosevelt had little difficulty inducing reporters to write stories in which information about administration policies was featured in a highly favorable manner.[24]

In contrast to this picture of uninformed reporters facing officials who were expert—or at least well grounded—on policy issues, a 1962 survey of Washington correspondents found an increasing number of reporters who were well equipped to ask hard questions and give careful scrutiny to government reports even when they involved technical questions.[25]

The recruitment patterns of major news enterprises have also tended to increase the media's ability to challenge the accuracy of government information. In addition to demanding high educational qualifications as a prerequisite for a job as a reporter, many editors now seek specialized expertise in areas such as law, science, welfare, or defense policy. The reporters they hire sometimes have spent years working for the government in these fields, and they are thus able to combine their inside knowledge of the policy process within government with their own technical abilities. Instead of turning reporters into officials, as the government has done, the media have turned officials into reporters. This turnabout has reached the highest levels. Just as reporters are recruited by presidents to serve as press secretaries, former press secretaries are now recruited by the media to act as commentators on White House activities.

The trends we have identified here clearly leave open the possibility that the presidency will dominate the exchange relationship with the media no less in the future than has been the case in the past. Although the vestments of the office may no longer be sufficient to assure a president that the credibility of his messages will be accepted without question by reporters, the terms of the exchange relationship are still fundamentally in the president's favor. Unless he attempts

[23] Leo C. Rosten, *The Washington Correspondents* (New York, 1937), p. 163.

[24] Elmer F. Cornwell, Jr., *Presidential Leadership of Public Opinion* (Bloomington, Ind., 1965), p. 148.

[25] See William L. Rivers, "The correspondents after 25 years," *Columbia Journalism Review*, I (Spring 1962), 8.

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to use such tactics as deceit and intimidation to restructure the exchange relationship radically in his favor, as both Presidents Johnson and Nixon were widely accused of doing, a chief executive can normally extract a great deal of benefit from his transactions with reporters.

But, as we have also tried to show, the antagonism between the press and the president that was so prominent in the Nixon years may not be—as is often suggested—entirely a product of the peculiarities of the president's personality. As a result of their increased organizational capability and growing professionalization, the media are becoming significantly stronger in their ability to cover the White House.[26] Each party now tends to dominate the agenda of the other. If it is credible to speak of an imperial presidency as a short-hand description of the growth of executive power in American society, it may be no less plausible to think of the emerging citadels of power in the American press as an imperial media. The outcome of this imperial rivalry, and consequences for the governance of American democracy are as yet far from clear.

[26] For a review and analysis of the White House-press relationship during the Nixon period, see Lewis W. Wolfson and James McCartney, *The Press Covers Government: The Nixon Years from 1969 to Watergate* (Washington, D.C., 1973).

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The Constitutional Right to Candidacy

NICOLE A. GORDON

While the right to vote is now recognized as a fundamental constitutional right,[1] it remains unclear whether the correlative right, to candidacy,[2] enjoys the same status. Just as restrictions on the franchise have gradually been invalidated, similar restrictions on candidacy have also been struck down, especially in recent years. These restrictions fall into two categories: those directly involving a candidate's personal qualifications, such as requirements of property ownership, durational residence, age, and the like, and those indirectly restraining candidates because they regulate the electoral process, such as filing fees and petition requirements. The courts have only recently become receptive to challenges to restrictions in the latter group, and they have differed in their approaches when resolving the issues presented by any kind of restriction on candidacy.

The most prevalent justification for invalidating restrictions on candidacy has evolved from the protection of voters' rights on the basis of the equal protection clause of the Fourteenth Amendment. Another route has been through identification of candidacy as a right protected by the First Amendment. The least common and latest rationale has been based on a theory that candidacy is itself a fundamental right, not derived from the right to vote or the First Amendment.

The Supreme Court has never explicitly recognized candidacy as a fundamental right, independent of the right to vote. Nevertheless lower courts are divided and have relied on dicta in Supreme Court decisions to support conflicting results, both in favor of and against recognition of the right as fundamental.

[1] See *Harper* v. *Virginia Board of Education*, *383* U.S. 663 (1966).

[2] The right to candidacy is actually a right of access to the ballot.

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The initial choice of rationale for vindicating candidates' rights, especially for purposes of the equal protection clause, may often determine the outcome of the case.[3] Among the problems hinging on the adoption of one or another theory protecting candidates are those relating to standing to challenge restrictions, the standard of review to be applied (discussed hereinafter), and what showing (whether *candidates'* or *voters'* rights are infringed) is necessary to overcome a presumption in favor of the validity of such restrictions.

The contradictory conclusions of the lower courts in their interpretation of ambiguous and sometimes inconsistent Supreme Court decisions raise questions concerning the extent to which candidates' interests will in future be protected. Present attempts to regulate campaigns through limitations on funding and other restrictions have endowed the problem of candidates' rights with topical and practical importance as well as theoretical interest.

This article will explore the historical basis for recognition of the right to candidacy, the extent to which this right has been protected, the theories upon which courts have invalidated restrictions thereon, and the effects that recognition of the right might have on existing candidacy restrictions and election procedures.

Historical Basis

Candidacy is nowhere mentioned in the Constitution,[4] but the framers stressed the importance of minimizing restrictions on the electoral process, an attitude evidenced by the contemporary debates. In opposing a proposal to allow Congress

[3] The equal protection clause of the Fourteenth Amendment has, since the Warren era, been found to trigger two tests differing in their rigidity. The first, the compelling state interest test, is applied where "fundamental rights" (e.g., voting, procreation, or travel) are abridged, or when a law can be found to be invidiously discriminatory with respect to some "suspect classification" (e.g., race, alienage, or illegitimacy). In the past, an initial finding that "strict scrutiny" was warranted generally determined the outcome of the case, because it was virtually impossible for the state to satisfy this rigorous requirement. The second test, applied in all other cases, requires only that the legislative classification in question bear a "rational relation" to its object, and that this object relate to a legitimate state interest. Thus, laws have generally been upheld under this test because scrutiny is minimal. It appears that in recent years the Supreme Court has retreated from the former rigid lines drawn between these tests, and it has upheld laws as meeting the compelling state interest test, and invalidated others as having no rational relation to their object. These developments have given rise to speculation that the two-tiered approach is either being modified to include a "reasonableness" test requiring legislation to further substantially its objectives, or that it is being abandoned entirely in favor of a "sliding scale" approach which involves balancing the interests infringed against the necessity of the laws in question.

Determination that candidacy is "fundamental" would be crucial to the disposition of cases so long as the two-tiered approach persists. Such determination diminishes in importance if a "balancing" or other approach is adopted, but would probably retain significance as to the weight accorded candidacy in the balancing process.

[4] The fact that the Constitution is silent about candidacy per se is not of itself a bar to recognition of candidacy as a fundamental constitutional right. The right to travel, for example,

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a general power to establish qualifications for legislators, James Madison insisted that "[t]he qualifications of electors and elected were fundamental articles in a Republican Govt. and ought to be fixed by the Constitution. If the Legislature could regulate those of either, it can by degrees subvert the Constitution. A Republic may be converted into an aristocracy or oligarchy *as well by limiting the number capable of being elected*, as the number authorized to elect. . . ."[5] In New York, a proposed amendment to restrict the term of office of senator to six years in any term of twelve years was attacked because "[t]he people are the best judges who ought to represent them. To dictate and control them, to tell them whom they shall not elect, is to abridge their natural rights."[6]

These remarks are not atypical of responses drawn by any number of suggested restrictions on officeholding, and it is clear that there was concern, even at the earliest stages of debate, for the necessity of a wide base, not only for electors, but for the elected as well.[7]

Discussion on the Fifteenth Amendment also indicates a desire for broad participation in government. These debates centered primarily on questions of state sovereignty and whether the black and white races should share equally in the running of the government. Consequently, distinctions between suffrage and the right to hold office often were blurred. It was not until the conference committee returned with its report that the Senate turned its full attention to the distinctions between the right to vote and the right to hold office. Both Houses had proposed amendments containing the right to vote *and* the right to hold office,[8] but the conference committee deleted reference to holding office in its final version of the Fifteenth Amendment.[9] The reaction to this change in the

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is now accorded the status of a fundamental constitutional right although it does not appear as such in the Constitution. *United States* v. *Guest*, 383 U.S. 745, 757–759 (1966).

[5] M. Farrand, *Records of the Federal Convention of 1787*, vol. 2 (New Haven, Conn., 1911 ed.), pp. 249–250. (Italics added.)

[6] J. Elliot, *The Debates on the Federal Constitution*, vol. 2 (Philadelphia, 1866 ed.), pp. 292–293.

[7] It is worthy of note that certain qualifications eventually were included in the Constitution for the offices of congressman (Art. I, Sec. 2), senator (Art. I, Sec. 3), and president (Art. II, Sec. 1).

[8] The amendment as finally proposed by the Senate read: "No discrimination in the exercise by any citizen of the United States of the elective franchise, or in the privilege of holding office, shall in any State be based upon the race, color, or previous condition of servitude of said citizen or his ancestors." *Congressional Globe*, 40th Cong., 3d Sess. (1869), p. 1318.

The final House version read: "The right of the citizens of the United States to vote and hold office shall not be denied or abridged by any State on account of race, color, nativity, property, creed, or previous condition of servitude." Ibid., p. 1428.

For the history of the amendments, see J. Matthews, *Legislative and Judicial History of the Fifteenth Amendment* (Baltimore, 1909) and W. Gillette, *The Right to Vote: Politics and the Passage of the Fifteenth Amendment* (Baltimore, 1965). See generally, Virginia Commission on Constitutional Government, *The Reconstruction Amendments' Debates* (Richmond, Va., 1967).

[9] This version, which was adopted verbatim as the Fifteenth Amendment, reads: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or

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amendment reveals a sharp division among both proponents and opponents of the amendment as to the significance of the right to hold office in relation to the right to vote. There were those who believed that the Fourteenth Amendment protected voting rights and that the Fifteenth Amendment was superfluous, dangerous, or in itself failed to confer a right even to vote. Some felt that the right to vote included the right to hold office; others predicted that the right to hold office would be the immediate effect of the right to vote, while still others found that the right to vote unaccompanied by a right to hold office would be a sham. Passage of the amendment in the Congress seems to have been due at least partly to the fear of many that if this amendment were not passed, none other would be—an apprehension heightened by the impending end of the session. Disagreement as to the exact scope of the right to vote without an accompanying expressed right to hold office continued in the subsequent political campaigns and the state debates on ratification.

It appears that there is insufficient historical authority to support a conclusion that there was any single generally accepted view of the relationship between the right to vote and the right to hold office.[10] Nevertheless, the importance attached to both these rights in the debates on the Constitution and the Fifteenth Amendment provides some insights relevant to determination of the validity of modern restrictions on the right to hold office. It is clear that the framers regarded these rights as crucial to the success of their new scheme of government, and it is equally evident that the Reconstruction Congress saw them as indispensable to the security of political freedom for the emancipated slaves. What remains inconclusive in the legislative history is the extent to which the right to hold office was specifically meant to be defined and protected in the constitutional plan.

Judicial Recognition

Candidacy as an Activity Protected by the First Amendment

The First Amendment has often been described as occupying a "preferred position" in the Bill of Rights—a status clearly attributable to the theory that freedom of speech acts as a guarantor of democratic society and is thus "the matrix, the indispensable condition of nearly every other form of freedom."[11] While it is

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by any State on account of race, color, or previous condition of servitude." *Congressional Globe*, 40th Cong., 3d Sess. (1869), p. 1623. There is no record revealing the reasons for this change.

[10] For the argument that there is no historical basis for a constitutionally protected right to hold office, see A. Avins, "The Right to Hold Public Office and the Fourteenth and Fifteenth Amendments: The Original Understanding," *Mercer Law Review*, 18 (1967), 367. For the argument that the right is protected, see Note, "Durational Residence Requirements for Candidates," *University of Chicago Law Review*, 40 (1973), 357, 365–369.

[11] Justice Cardozo, writing for the Court in *Palko* v. *Connecticut*, 302 U.S. 319 at 326 (1932).

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arguable whether there is any historical basis supporting protection of First Amendment activities purely because of their political nature, this notion has the support of numerous authorities and is found expressed by the Supreme Court in a variety of contexts.[12] Brandeis, concurring in *Whitney* v. *California*[13] stated the presumption in the following way:

> Those who won our independence believed that the final end of the State was to make men free to develop their faculties; and that in its government the deliberative forces should prevail over the arbitrary. They valued liberty both as an end and as a means. They believed liberty to be the secret of happiness and courage to be the secret of liberty. They believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that without free speech and assembly discussion would be futile; that with them, discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; that the greatest menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of the American government.

A great many cases falling under the First Amendment rubric have involved the expression of political ideas, and a wide range of activities closely related to running for public office has been found to be protected. These activities, though not always political in nature, have included political advertising, speech making, criticism and unintentional defamation of public officials, meeting for peaceable political action, organization of meetings and political parties, criticism of government policy, distribution of literature without the censorship of licensing, the use of loudspeakers, and street demonstrations.

The reasoning behind protection of these activities, resting as it does on the belief that a democratic government depends for its existence on the free dissemination of ideas, applies especially to ideas of a political nature, since, in Justice Holmes's words, "the ultimate good desired is better reached by free trade in ideas . . . [T]he best test of truth is the power of the thought to get itself accepted in the competition of the market. . . ."[14]

It is a logical extension of this premise that candidacy, among the ultimate means within the American political system by which an individual makes known his political thought, should be fully protected under the First Amendment, and some courts have reached this conclusion. Support for this has been found in *Williams* v. *Rhodes*, [15] where the Supreme Court invalidated Ohio's laws applying to electors for the presidency and vice-presidency. The requirements in issue made it virtually impossible for a new political party, even if its membership were numerous, or an old, established party, if its membership

[12] See A. Meiklejohn, *Free Speech and Its Relation to Self-Government* (New York, 1948), *passim*, for the argument that "public speech" related to self-government is entitled to greater protection than "private speech."

[13] 274 U.S. 357, 375 (1927).

[14] *Abrams* v. *United States*, 250 U.S. 616, 630 (1919) (Holmes, J., dissenting).

[15] 393 U.S. 23 (1968).

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were small, to gain a position on the state ballot. The decision was based primarily on equal protection considerations, but the Court's study of the First Amendment aspects of the case provides ample (if ambiguous) material for interpretation. Justice Black's opinion for the Court falls short of declaring explicitly that candidacy is a fundamental First Amendment right. Instead, the Court's brief examination of the First Amendment emphasizes the right of individuals to associate and to form parties for the advancement of political goals. Since the Court also discusses indirect infringements on the right to vote and discrimination against minority parties, it is unclear whether First Amendment grounds would have been sufficient to dispose of the case.

Of the lower court decisions interpreting *Williams* as authority for protection of candidates through the First Amendment, *Mancuso* v. *Taft*[16] is perhaps the single most important case. The restriction attacked in that case was a provision of the City Home Rule Charter of Cranston, Rhode Island, prohibiting "continuing in the classified service of the city after becoming a candidate for nomination or election to any public office." Mancuso, a police officer, filed as a candidate for nomination to the Rhode Island General Assembly, thereby subjecting himself to dismissal from the police force. The court found that "the right to run for public office touches on two fundamental freedoms: freedom of individual expression and freedom of association." The court took *Williams* to suggest that candidacy falls within the scope of protected First Amendment activities. Chief Judge Coffin, writing for the court, analyzed these two freedoms separately. Freedom of expression, he noted, encompasses a wide range of activity. The individual may choose any means he pleases to express himself, subject to a "narrowly defined concept of public order and safety." One means of expression is to become a candidate for public office. Freedom of association, the other branch of freedom of speech, which is "intimately related with the concept of making expression effective" was also found to be infringed upon by the Rhode Island law. The *Mancuso* court concluded that:

> A view today, that running for office is not an interest protected by the First Amendment, seems to us an outlook stemming from an earlier era when public office was the preserve of the professional and the wealthy. Consequently we hold that candidacy is both a protected First Amendment right and a fundamental interest. Hence any legislative classification that significantly burdens that interest must be subjected to strict equal protection review.

Mancuso suggests a broad role for candidacy as a First Amendment activity, especially in its view that the First Amendment embraces *effective* expression.[17]

Some lower courts have relied on the *Mancuso* reading of *Williams* to classify

[16] 476 F. 2d 187 (1st Cir. 1973). The court in fact reviewed the law in question under the equal protection clause (see text accompanying notes 22–30, below), but noted that the same result would have been reached under direct First Amendment analysis, as its discussion of the First Amendment interests indicates.

[17] See note 35, below, for discussion of the significance of this concept in the context of the right to an effective candidacy.

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candidacy as an exercise of First Amendment rights. Residence requirements, limits on time allowed for petition collections, and limits on the places a single candidate may occupy on the ballot have all been invalidated on First Amendment grounds. Other courts had previously come to the same conclusion on their own: the Supreme Courts of California, Oregon, and Minnesota, among others, have independently used this rationale to strike down election laws.

In spite of these broad readings in the lower courts, more recent Supreme Court cases have not fulfilled the *Williams* hints of expanded First Amendment protection for candidacy. At the same time, however, the Court has not expressly disavowed the *Williams* approach. It has rather cited the case for narrow propositions, some of which do not appear to embody the spirit of the *Williams* case. Thus, in *American Party of Texas* v. *White*, [18] the court found valid a Texas election law providing four methods for nominating candidates in a general election depending on evidence of voter support. In so doing, the Court nevertheless applied strict scrutiny suitable for determining whether the state's power to regulate *justifiably* limits First Amendment freedoms. The Court found that, since there were no less burdensome ways in which the "vital state objectives" here in issue could be protected, these election laws were valid as "necesary to further compelling state interests."[19]

In the area of campaign financing, however, the Court has found that candidates' First Amendment rights preclude limits on expenditures. In *Buckley* v. *Valeo*,[20] the Court held that such limits worked as "substantial . . . restraints on the quantity and diversity of political speech." At the same time, restrictions on *contributions* to political campaigns were upheld and were distinguished from expenditures as "only a marginal restriction upon the contributor's ability to engage in free communication." The government's interest in limiting "the actuality and appearance of corruption resulting from large individual financial contributions" was found sufficiently compelling to justify this latter burden on First Amendment freedoms.

While *Buckley* was not a ballot access case, the Court there seemed to protect the rights of candidates more scrupulously than those of contributors, who are also potential voters. This may be an indication that, in the future, rights of association (here, the rights of contributors) will be less protected than those of direct expression (here, the rights of candidates).[21]

The trend in the recent Supreme Court decisions is not susceptible of easy categorization, at least in the area of the scope of the First Amendment as applied to the rights of candidates. Recognition of a right to candidacy as a fully protected First Amendment right would not be inconsistent with most decisions,

[18] 415 U.S. 767 (1974).

[19] The compelling state interests were: "preservation of the integrity of the electoral process and regulating the number of candidates on the ballot to avoid undue voter confusion." 415 U.S. 782, n. 14.

[20] 44 U.S. L.W. 4127 (1976). See also note 44, below, and accompanying text.

[21] See text accompanying notes 22–23, below.

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although there is little, even by way of dictum, to indicate that the court is at present moving in this direction. Such recognition, however, would be compatible with the purposes of the First Amendment in safeguarding free political speech, which is essential to the functioning of the constitutional system of government.

Candidacy as Protected through Voters' Rights

Protection of the right to vote through the Fourteenth Amendment has been the most frequent justification for invalidation of restrictions on candidacy. The right to vote, and, more importantly, the right to an *effective* vote, has served as the basis for application of a compelling state interest standard to any regulation impinging upon that right.[22] Protection of *candidates'* rights is traced through a circuitous route whereby it is shown that *voters'* rights are abridged by the impairment of a candidate's ability to gain access to the ballot. The right to vote, it is argued, loses its importance in the absence of a meaningful choice for the voter, and hence restrictions on candidates' opportunities to run for office indirectly restrict voters as well.

This theory, taken to its purely logical conclusion, would require that any infringement on candidacy be viewed as an infringement upon voters' rights, but this approach does not seem to have been adopted anywhere.

Williams v. *Rhodes*[23] provided the first indication at the Supreme Court level that voters' rights could be impaired through candidacy restrictions. The Court, per Justice Black, announced that the Ohio laws in question placed heavy burdens, not only on the right to associate, but also on "the right of qualified voters, regardless of their political persuasion, to cast their votes effectively." While acknowledging that "the State is left with broad powers to regulate voting," the Court rejected arguments that Ohio had a compelling interest in promoting the two-party system, in seeing that the election winner be the choice of a majority of the voters, and in preventing voter confusion due to the remote possibility of the presence of too large a number of parties on the ballot.[24]

Bullock v. *Carter*,[25] a 7–0 decision, reinforced the identification of voters' rights with candidates' rights. The statute there in question required filing fees for local office in Texas primary elections as high as $8,900 without any write-in vote or other alternative method by which candidates could be entered on the ballot. Chief Justice Burger's opinion for the Court discussed the law in terms of the rights of voters:

[22] See note 3, above.

[23] 393 U.S. (1968). See text accompanying note 15, above, for the facts of the case and discussion of it in the context of the First Amendment.

[24] Prevention of voter confusion has since been recognized as a compelling state interest. See note 19, above, and accompanying text.

[25] 405 U.S. 134 (1971).

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> The initial and direct impact of filing fees is felt by aspirants for office, rather than voters, and the Court has not heretofore attached such fundamental status to candidacy as to invoke a rigorous standard of review. However, the rights of voters and the rights of candidates do not lend themselves to neat separation; laws that affect candidates always have at least some theoretical, correlative effect on voters.

This language implied a retreat from the possibility, left open in *Williams*, that candidacy might come into its own as a fundamental right. Simultaneously, however, the Court appeared to be endowing candidacy with all the attributes of the fundamental status of franchise rights. Perhaps to offset the possibility of allowing the voter-candidate equation to degenerate into a *reductio ad absurdum*, the Court asserted: "Of course, not every limitation of incidental burden on the exercise of voting rights is subject to a stringent standard or review"—a direct contradiction of what the Court had said a few years earlier in *Reynolds* v. *Sims*,[26] a reapportionment case, when it declared that "any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized."

The Texas law challenged in Bullock was found to be "exclusionary" and thus violative of the Fourteenth Amendment because, "in light of the size of the fees, it tends to deny some voters the opportunity to vote for a candidate of their choosing. . . ." Since the law gave the affluent an opportunity to place whomever they wished on the ballot, it discriminated against other voters on an economic basis.

This indirect method of invalidating the filing fee provided no distinct guidelines for determining the extent to which other kinds of restrictions on candidacy might affect voters. As a result, lower courts interpreted the *Bullock* line of reasoning in a variety of ways, giving rise to many inconsistent rulings. The courts used the theory to distinguish between the rights of voters and those of candidates, applying strict scrutiny to cases wherein voters' rights were seen to be impaired, and a "rational relation" test where only candidates' rights were at issue. Consequently, seven-year durational residence requirements for the offices of governor and state senator have been found to serve a compelling state interest, whereas a two-year residence requirement for city office has failed to meet the strict scrutiny test. At the same time, a three-year residence requirement for state representative has been upheld under a rational relation test, while a three-year residence requirement for membership on a city charter commission was invalidated as lacking "logic, reason, [or] experience to support it."[27] Thus, *Bullock*, by concentrating on the extent and nature of the impact of candidacy restrictions on voters, obscured rather than clarified the relationship between voting and candidacy.

Three subsequent major Supreme Court decisions, all handed down the same

[26] 377 U.S. 533 (1964).
[27] *Mogk* v. *City of Detroit*, 335 F. Supp. 698 (E.D. Mich. 1971).

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day, have done little to clear up the confusion wrought by *Bullock*. In *Lubin* v. *Panish*,[28] the Court, in an opinion written by Chief Justice Burger, extended the holding in *Bullock* (which involved filing fees "that were so patently exclusionary as to violate traditional equal protection concepts") to embrace a more modest fee of $701.60, when an indigent was denied nomination papers for failure to pay the fee. The Court noted the enlargement of protection of voting rights through the Fourteenth Amendment and thereafter stated:

> The interests involved are not merely those of candidates; the voters can assert their preferences only through candidates or parties or both and it is this broad interest that must be weighed in the balance. *The right of a party or an individual to a place on a ballot is entitled to protection and is intertwined with the rights of voters.* (Italics added.)

The decision was grounded on the "absence of any alternative means of gaining access to the ballot."

The legacy of *Lubin* has yet to be fully determined. Because of its failure even to indicate the standard of scrutiny it applied in invalidating the filing fees, there is already disagreement as to its meaning among the few lower courts which have ruled on election laws since the decision was rendered, except where the facts are so close as to be indistinguishable from those in *Lubin*. *Lubin* has been cited both as authority to uphold ballot restrictions (on the theory that the state has a legitimate interest in keeping the lengths of its ballots within reasonable limits) and to invalidate them as infringing upon voters' and candidates' rights.

Lubin's companion cases, *Storer* v. *Brown*[29] and *American Party of Texas* v. *White*[30] are equally inconclusive and susceptible of multiple interpretations. *Storer* involved California's election laws denying ballot access to independent candidates who had voted in the previous primary or were registered in a political party during the preceding year. The statute further required that requisite filing petitions be signed by voters not less in number than 5 percent of the entire vote cast in the preceding general election, that the signatures be obtained within a twenty-four-day period, and that the petitions be signed only by registered voters who had not voted in the last primary. The Court, by a vote of 6–3, sustained the law, determining that these requirements were not unconstitutional since they served a compelling state interest in protecting the electoral process from factionalism and did not discriminate against independent candidates, although the case was remanded for determination of whether, in fact, the pool of potential signatories was so diminished by the disqualification of those who had voted in the previous primary as to be an unduly onerous burden.

[28] 415 U.S. 709 (1974).
[29] 415 U.S. 724 (1974).
[30] 415 U.S. 767 (1974). See notes 18–19, above, and accompanying text.

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A dramatic departure from most of the preceding candidacy cases, *Storer* avoids discussion of the relationship between voting and candidacy. Instead, it purports to apply a compelling state interest test without actually considering voters' rights, and finds this test satisfied in light of the state's interests.

American Party also ignores the voting-candidacy relationship and examines the discriminatory aspects of the Texas law separately: as to the *candidates*, where ballot access was in issue, and as to the *voters* regarding the state's practice of printing only the names of the two major political parties on the absentee ballot.

The majority opinions in *Lubin*, *Storer*, and *American Party* provide incomplete material for analysis of the extent to which restrictions on candidacy may be viewed as restrictions on the franchise. Attempts to apply the reasoning in these cases have already resulted in disparate rulings which will doubtless multiply in number so long as the Court declines to define its views precisely in this area.

Candidacy as an Independent, Fundamental Right

A few modern cases have described candidacy as a fundamental right not specifically derived from the right to vote or from the First Amendment. In *Zeilenga* v. *Nelson*,[31] the Supreme Court of California invalidated a five-year residence requirement for election to a county board of supervisors. The court described the right to hold public office as a "fundamental right," citing, but not discussing, cases which support this contention for differing reasons and, after strictly scrutinizing the provision, concluded that it did not serve a "compelling state interest." Property ownership requirements have been invalidated on similar grounds. *Mancuso* v. *Taft* likewise asserted that it applied strict equal protection review because "candidacy is *both* a protected First Amendment right *and a fundamental interest*." (Italics added.)

The discussion of candidates' rights in these and similar cases is limited, and little effort seems to have been expended in justifying the assertion that candidacy per se is "fundamental." Explicit support for this proposition is not to be found in the more recent Supreme Court decisions. Such a finding, however, could well be grounded on the language in footnote 4 of Justice Stone's opinion for the Court in *United States* v. *Carolene Products Co.*,[32] the subject of a good deal of scholarly debate. The case itself involved the congressional prohibition

[31] 4 C. 3d 716, 94 Cal. Rptr. 602, 484 P. 2d 578 (1971).

[32] 304 U.S. 144, 152–153, note 4 (1938). For discussion of the footnote, see L. Lusky, *By What Right?* (Charlottesville, Va., 1975), pp. 108–112, 266, and 312–314; L. Lusky, "Minority Rights and the Public Interest," *Yale Law Journal*, 42 (1942), 1, 19–21; M. Ball, "Judicial Protection of Powerless Minorities," *Iowa Law Review*, 59 (1974), 1059, *passim*; and R. Funston, "The Double Standard of Constitutional Protection," *Political Science Quarterly*, 90, no. 2 (1975), 261–287.

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of the shipment of "filled milk"[33] in interstate commerce, which the Court upheld, declining to review the propriety of the law. The footnote served as a *caveat* that the Court's standards of review might vary depending on the kind of legislation challenged.[34] The note reads:

> There may be narrower scope for operation of the presumption of constitutionality when legislation appears on its face to be within a specific prohibition of the Constitution, such as those of the first ten amendments, which are deemed equally specific when held to be embraced within the Fourteenth. . . .
>
> It is unnecessary to consider now whether legislation which restricts those political processes which can ordinarily be expected to bring about repeal of undesirable legislation, is to be subjected to more exacting judicial scrutiny under the general prohibitions of the Fourteenth Amendment than are most other types of legislation. On restrictions upon the right to vote, see *Nixon* v. *Herndon*, 273 U.S. 536; *Nixon* v. *Condon*, 286 U.S. 73; on restraints upon the dissemination of information, see *Near* v. *Minnesota* ex rel. *Olson*, 283 U.S. 697, 713–714, 718–720, 722; *Grosjean* v. *American Press Co.*, 297 U.S. 233; *Lovell* v. *Griffin* . . . ; on interferences with political organizations, see *Stromberg* v. *California* . . . ; *Fiske* v. *Kansas*, 274 U.S. 380; *Whitney* v. *California*, 274 U.S. 357, 373–378; *Herndon* v. *Lowry*, 301 U.S. 242; and see Holmes, J., in *Gitlow* v. *New York*, 268 U.S. 652, 673; as to prohibition of peaceable assembly, see *DeJonge* v. *Oregon*, 299 U.S. 353, 365.
>
> Nor need we enquire whether similar considerations enter into the review of statutes directed at particular religious . . . or national . . . or racial minorities . . . : whether prejudice against discrete and insular minorities may be a special condition, which tends seriously to curtail the operation of those political processes ordinarily to be relied upon to protect minorities, and which may call for a correspondingly more searching judicial inquiry . . .

The first paragraph of this footnote deals with the express language of the Constitution and sets aside, for special consideration, cases in which a specific textual "prohibition" is to be found. This paragraph serves as one of the sources of the "preferred position" theory, and it would be a basis for protection of candidacy only insofar as the latter is acknowledged to be a First Amendment activity.

The second paragraph might well be seen as a delineation of rights that can, by objective examination, be determined to fall within the category of those considered "fundamental." This class of rights is confined to activities of a political nature whose abridgment directly affects the functioning of the electoral process. These can be listed briefly: political expression, voting, and candidacy[35]—all three activities being clearly subsumed under the heading, "political processes which can ordinarily be expected to bring about repeal of undesir-

[33] I.e., milk whose fat has been removed and replaced with vegetable fat.

[34] The footnote is not expressed in imperative terms, but even as dictum it has had so pervasive an influence on judicial thought that its forcefulness as authority is far greater than the language itself might suggest.

[35] A fourth, the right to *hold* public office, might also be added. Since the rights to vote and to free speech have been defined as the right to vote *effectively* and to express oneself *effec-*

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able legislation." Thus, a seemingly broad "political right" is defined to include only three particular activities, of which two already appear to be specifically protected, while the third—candidacy—has not yet been so set apart, despite the absence of any expressed reason why candidacy should be considered less important than, for example, voting.

This reading of the footnote, which is no more than a restatement in other terms of what it already propounds, would place candidacy on the same scale as voting (although *not* as a right derived from the right to vote) and hence as a fundamental right for no other reason than its connection with the political processes. Such a contention is bolstered by the citation, in this paragraph of the footnote, of cases involving the dissemination of information, interferences with political organizations, and the prohibition of peaceable assembly, since these cases were all decided on First Amendment grounds. It is a fair inference from their inclusion here that the activities mentioned are protected not only because they fall within First Amendment prohibitions, but also, or particularly, because they are *politically* connected. Even in the absence of a First Amendment, then, perhaps political speech would find protection in the courts.[36]

The final paragraph provides a third (and overlapping) source for the protection of candidacy. Professor Louis Lusky has pointed out that the latter paragraphs "plainly assume the existence of two national objectives—government by the people, and government for the whole people—and focus attention on the Court's special ability to effectuate them."[37] While the second paragraph deals with the purity of the *process* of government and finds that restrictions on this process are specifically protected, the third paragraph refers to the importance of substantive fairness to powerless minorities. Prejudice, it is suggested, may be a "special condition" which impedes the very process meant to protect such minorities. Candidates for independent and minority parties may often fall into the latter category. Although Justice Stone singles out religious, national, and racial minorities as those most commonly subjected to oppression resulting from prejudice, it is obvious that candidates representing unpopular causes or small and/or new political groups may suffer hardship in gaining access to the ballot because the procedures for doing so have been prescribed by legislatures composed primarily of adherents of one or the other of the two major parties. This kind of discrimination, manifested in requirements like those invalidated in *Williams* v. *Rhodes*, would appear to be covered by both the second and third paragraphs of the footnote because it (1) restricts political pro-

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tively, it follows that the right to candidacy should be defined as a right to an *effective* candidacy; i.e., whose success would culminate in a right to hold office. The right to hold public office once elected seems to have been recognized. *Powell* v. *McCormack*, 395 U.S. 486 (1969).

[36] See C. Black, *Structure and Relationship in Constitutional Law* (Baton Rouge, La., 1969), pp. 33–44, arguing that free speech might be protected against infringements by the states in the absence of the First and Fourteenth Amendments because of the nature of the national government and its dependence upon public opinion.

[37] Lusky, *By What Right?*, p.109.

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cesses and (2) is directed *ipso facto* at powerless minorities, whose reliance in such instances on the political processes is inevitably unavailing.

Together or separately, the second and third paragraphs of the footnote focus on the review which the judiciary can provide where legislative restrictions or special conditions may cause a breakdown in the political process.[38] The footnote does not imply that the courts must wait for this effect: rather, the courts are in a position to prevent the breakdown from occurring, through strict scrutiny of impediments to the political process in the first instance.

The scattered assertions of a few lower courts may not, alone, prove to be a compelling argument for the existence of a fully protected right to run for public office, although some of the legislative history of the Constitution might support that argument. The *Carolene Products* footnote, however, could offer authoritative underpinnings for judicial recognition of the right to candidacy as independently fundamental.

Conclusions

The substantive effects of the choice of one or another theory protecting candidates primarily involve the applicable standard of review and thus often the outcome of the case.[39] The First Amendment area appears to be settled: an infringement there must meet a compelling state interest test or it will be invalidated. Where the voter-candidate relationship is relied upon, voters' rights will be scrupulously protected, while candidates' rights may not be. If candidacy is viewed as fundamental, of course, a strict standard must be consistently applied, but the erratic application of equal protection standards in recent years has led to uncertainty as to what "strict" and "minimal" scrutiny will mean in the future.

Under any theory, the rights of voters and, to a large extent, those of candidates, weigh heavily in the balance. The state, however, must be allowed to impose certain conditions on ballot access, and any regulation that may be fairly imposed on voters would seem to be equally legitimate as to candidates. Residence requirements, for example, would be *a fortiori* valid restrictions on candidates, since their validity has been upheld for voters. Durational residence requirements may be a different matter. In *Dunn* v. *Blumstein*,[40] the Court invalidated a one-year residence requirement for voters, stating that a thirty-day requirement would be sufficient for the state's purposes in ensuring purity of

[38] For discussion of the footnote in terms of the "relative judicial and legislative fitness to deal with certain lawmaking problems," see ibid, pp. 108–110, where the Court's intervention in cases involving the political process is justified on the principle of an implied power to review such legislative action more searchingly because of the Court's "special aptitude" for performing this particular governmental task.

[39] See note 3, above.

[40] 405 U.S. 330 (1972). Durational residence requirements were found to interfere with the "right to travel" (see note 4, above). Later cases have found fifty-day requirements constitutional, accepting the state's judgment as to necessity.

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the ballot. In *Mogk* v. *City of Detroit*,[41] a district court, invalidating a three-year residence requirement for candidates for the position of member of the charter revision commission, suggested that durational residence requirements for candidates should be the same as those for voters:

> Defendants claim that the three year residency requirement for candidates for the position of member of a charter revision commission is reasonable and understandable; that it takes into consideration that a person who has lived in the community for three years should be better acquainted with the problems of the city and with how they should be corrected. Curiously, a citizen who moves into the community thirty days before the election is presumably qualified to choose those best qualified for membership on the commission. Does this mean that voters can learn in thirty days what a prospective candidate can learn in not less than three years? It seems to us that there is here a strange inconsistency.

In fact, it is difficult to rationalize a longer residence requirement for candidates than for voters, especially since there is no reason to suppose that voters are unable to determine for themselves whether they wish to be represented by a relative newcomer to their area, nor are they likely to elect someone they feel is not sufficiently acquainted with local problems. Residence may be more appropriate as a campaign issue than as an actual requirement for holding office.[42]

Direct restrictions on candidates, such as durational residence requirements, age minimums, and so forth, imply a better ability on the part of the legislature to judge the objective qualifications of candidates than the voters themselves have, a notion which is incompatible with the idea that the voters "should choose whom they please to govern them."[43] Insofar as these restrictions resemble those placed on voters, however, it is unlikely that they will be found unconstitutional merely because they inhibit candidacy, when they have already been found constitutional as to voters. In fact, requirements for candidates that are more stringent than those for voters have often been upheld. Age requirements, for example, have generally withstood challenges even when these requirements are higher for candidates than for voters. Recognition of candidacy as fundamental would require invalidation of many of these laws, which have always been examined with minimal scrutiny and therefore uniformly upheld.

Indirect inhibitions on ballot access serve a different purpose. These require-

[41] 335 F. Supp. 698 (E.D. Mich. 1971). It might be argued that, since the only remaining justification for durational residence requirements for voters is an administrative one (i.e., to allow the state sufficient time to compile accurate voting lists), there may be no justification at all for a residence requirement of any specified length for candidates prior to the election. A deadline for filing as a candidate would relieve the state of the burden of last-minute determination of who belongs on the ballot, and it would not impinge upon candidacy or the right to travel in any way.

[42] In Great Britain, for example, there is no residence requirement whatsoever for members of Parliament, who may represent regions wherein they do not reside.

[43] Elliot, *Debates on the Federal Constitution*, p. 257 (remarks of Alexander Hamilton). But see the constitutional-requirements-for-certain-offices, note 7, above.

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ments, such as filing fees and petitions, are based on claims of state interests in ensuring that the ballot is not so flooded as to cause voter confusion, and in keeping administrative burdens within reasonable bounds. While such restrictions cannot but discriminate against minority parties and independent candidates, if there is no "less drastic means" of preserving the integrity of the ballot, some of these regulations of the electoral process might stand under any test as serving a compelling state interest.

The constitutionality of filing fees has become suspect since the Court's rulings in *Bullock* v. *Carter* and in *Lubin* v. *Panish*, but the last word has yet to be said on this subject, since the *Lubin* Court held only that a filing fee without an alternative means of ballot access for indigents was unacceptable. Petition requirements, on the other hand, are unquestionably constitutional, since they were upheld in *Storer* v. *Brown*. The reasonableness of any particular numerical requirement for petitions may depend on the number of qualified signatories, the time within which petitions must be collected, and the geographical distribution required for the collection, and must be determined in light of the burden it places on would-be candidates.

Certain limitations on campaign financing have met with varied response. A comprehensive scheme, embodied in the 1974 Amendments to the Federal Election Campaign Act of 1971, was upheld in part and struck down in part in *Buckley* v. *Valeo*.[44] The law was expected to promote fairer elections and to diminish the influence of special-interest groups through their contributions to campaigns. The regulations raised many constitutional difficulties, including the balancing of one individual's right of free expression (through campaign expenditures) against another's right to conduct a campaign as equally effectively as his opponent (a right presumably protected by limits on expenditures). These competing interests have been partially recognized; the Supreme Court asserted it was serving both interests by allowing limits on contributions to stand while striking down those on expenditures.

The Court did not, however, view these problems as relating to ballot access. In spite of the great length of the *Buckley* opinion, virtually nothing was said about candidates' or voters' rights per se. The Court did cite *Lubin* and other ballot access cases, but distinguished them as involving direct inhibitions on ballot access and thereby avoided discussion of these problems in traditional terms. The decision has therefore raised more questions than it answered regarding the rights of voters, candidates, and the relationship between the two.

Were candidacy to be recognized as fundamental in its own right, a large

[44] For a discussion of the many issues raised in this case, see A. Rosenthal, "The Constitution and Campaign Finance Regulation after *Buckley* v. *Valeo*," *Annals of the American Academy of Political and Social Science*, 425 (May 1976). On campaign financing generally, see J. Fleishman, "Freedom of Speech and Equality of Political Opportunity: The Constitutionality of the Federal Campaign Act of 1971," *North Carolina Law Review*, 51 (1973), 389; A. Rosenthal, *Federal Regulation of Campaign Finance: Some Constitutional Questions* (Princeton, N. J., 1972); R. Winter, *Campaign Financing and Political Freedom* (Washington, D.C., 1973).

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number of existing ballot access restrictions—both direct and indirect—would doubtless be invalidated, while further efforts to place candidates on a par in the campaign process might find support from such a determination. Thus, the individual's right to run for public office would be more fully protected than it is now, but his right to an effective campaign once he was assured a place on the ballot would be subject to the limits imposed by the existence of similar rights in others.

The Supreme Court's failure to deal definitively with the acceptability of standards and approaches in the field of candidates' rights has left the lower courts with little direction. The identification of voters' rights with those of candidates continues, as does discussion of First Amendment rights, without decisive language making explicit the scope and implications of the Court's rulings. The ensuing confusion among the courts has manifested itself not only in conflicting views as to which standards apply, but also in the contradictory results reached even among courts agreeing on the applicable standards themselves. A clear pronouncement delineating the proper perimeters of review in candidacy cases, either protecting candidacy fully or defining precisely the permissible limits thereon, would alleviate the difficulties under which the courts presently labor. Further decisions linking candidacy to voting while distinguishing between them will leave the present situation unchanged at best, because the courts will be forced to continued recourse to the circuitous reasoning that already marks a large number of their decisions on candidacy restrictions. The Burger Court has consistently resisted expansion of the existing class of "fundamental rights."[45] But Supreme Court recognition of a fundamental right to run for public office would not be a dramatic extension of the already broad protection given to candidates in many cases. Such recognition would, moreover, provide an unambiguous and direct mandate to examine restrictions on candidacy scrupulously, thus eradicating the confusion among the various jurisdictions. This recognition would have the additional advantage of best serving the spirit as well as the theoretical and practical needs of a democratic system: the former, through encouraging expanded participation in government by a larger number of people, and the latter, by providing the greater debate and confrontation which are vital to the success of the constitutional plan.

[45] See G. Gunther, *Cases and Materials on Constitutional Law* (Mineola, N. Y., 1975), p. 659 ff.

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The Pennsylvania Origins of the Jackson Movement

KIM T. PHILLIPS

Andrew Jackson swept into presidential politics in 1824 on a wave of unprecedented popularity. No man before had been taken seriously as a candidate without long service in high public office. Even those Tennessee politicians who initiated Jackson's candidacy had intended it only as a local maneuver.[1] Yet the unforeseen upsurge of popular support that quickly developed in several parts of the country thrust him into a position as the strongest presidential contender.

Jackson's sudden emergence in politics has never been satisfactorily explained. The usual interpretation is that the people giddily embraced a glamorous military hero, whose views on national political issues were nonexistent, or unknown.[2] The election of 1824 itself has been neglected, historiographically, as a hopelessly confused contest of personalities and sections.[3] Yet it is only by

[1] Charles Grier Sellers, Jr., "Jackson Men with Feet of Clay," *American Historical Review*, LXII (April 1957), 537–551.

[2] See, for example, George Dangerfield, *The Era of Good Feelings* (New York, 1952), p. 335; Arthur M. Schlesinger, Jr., *The Age of Jackson* (Boston, 1945), pp. 19, 36–37; Bray Hammond, *Banks and Politics in America, From the Revolution to the Civil War* (Princeton, N. J., 1957), p. 328; Richard H. Brown, "The Missouri Crisis, Slavery, and the Politics of Jacksonianism," *South Atlantic Quarterly*, LXV (Winter 1966), 68. While not dealing specifically with the election of 1824, John William Ward has brilliantly analyzed the collective psyche of the generation that made *Andrew Jackson, Symbol for an Age* (New York, 1955).

[3] An outstanding exception is Donald J. Ratcliffe's excellent study of "The Role of Voters and Issues in Party Formation: Ohio, 1824," *Journal of American History*, LIX (March 1973), 847–870.

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turning back to the early 1820s that we may see clearly the roots of Jacksonianism.

What was the key to Jackson's appeal to voters? Thirty years ago Arthur Schlesinger, Jr., declared that Jacksonian democracy could best be understood as a movement "to restrain the power of the business community." No proposition has been submitted to greater critical scrutiny. One major school argued, in an impressive body of literature, that the Jackson movement sought not to restrain but to liberate business opportunity. The typical Jacksonian, in this view, was an "expectant capitalist."[4] These conflicting economic interpretations have both been challenged in recent years by historians who sharply question the relevance of social-class differences or economic issues to voter behavior in this period. Professional politicians, so this argument goes, cynically manipulated their mass parties for electoral advantage with scant regard to issues or ideology. Moreover, the argument continues, ethnic and cultural influences were far more potent than any sense of social class in determining the party loyalties of voters.[5] These now fashionable views, however, are not borne out by a look at Pennsylvania in the election of 1824. Rather, the case of Pennsylvania suggests renewed consideration of Schlesinger's long-controversial thesis that a demand for economic reform was at the heart of Jacksonianism.

Historians have recognized that the rush to Jackson was particularly important in Pennsylvania. Electorally the second most powerful state, it was the first to endorse Jackson after his nomination in Tennessee. With Pennsylvania's support, Jackson became not merely a western favorite in a sectional contest, but the leading national candidate.[6]

Pennsylvanians chose to reject experienced statesmen in favor of Jackson, not out of blind admiration for a military hero, but because they wanted a sharp break from politics as usual. Disenchanted with the old leadership, they deliberately rebuffed the state's dominant politicians and forced them to abandon their presidential favorite, John C. Calhoun. Those who initiated Jackson's candidacy did so with the conscious expectation that he would lead the way toward economic and political reform.

[4] Schlesinger, *Age of Jackson*, p. 505. See, especially, Hammond, *Banks and Politics*, and Richard Hofstadter's essays on "William Leggett, Spokesman of Jacksonian Democracy," *Political Science Quarterly*, LVIII (December 1943), 581–594, and "Andrew Jackson and the Rise of Liberal Capitalism," *The American Political Tradition and the Men Who Made It* (New York, 1948), chap. III.

[5] Essential statements are the seminal works of Richard P. McCormick, *The Second American Party System: Party Formation in the Jacksonian Era* (Chapel Hill, N. C., 1966), and Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case* (Princeton, N. J., 1961). A good summation of the recent scholarly trend, which shares these interpretations, is Edward Pessen's influential synthesis, *Jacksonian America: Society, Personality, and Politics* (Homewood, Ill., 1969). For a critical review of "Ethno-Cultural Interpretations of Nineteenth-Century Voting Behavior" by Richard L. McCormick, see *Political Science Quarterly*, 89 (June 1974), 351–377.

[6] Philip S. Klein, *Pennsylvania Politics 1817–1832: A Game without Rules* (Harrisburg, Pa., 1945), pp. 120–166.

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"Old School" versus "New School": The Politics of a Divided Party

To understand the discontent in Pennsylvania it is essential to know more about the political situation there in the years preceding the election of 1824. The Keystone state had been overwhelmingly Republican since Jefferson's election in 1800, but internally the party was divided from the moment of victory over the Federalists. Schism was the inevitable consequence of the party's mixed composition. Mutual opposition to the pro-British foreign policy of the 1790s was the least common denominator of Republicanism, and had temporarily disguised differing outlooks on domestic issues going back to the constitutional struggles of a decade earlier. Those differences quickly resurfaced once the party was in power. The majority of Republican voters came from anti-Federalist and "constitutionalist" origins, yet found themselves dominated by party leaders who had helped to destroy the cherished democratic state constitution of 1776. A renewed struggle for democracy over deference raged within Pennsylvania's Republican party for a decade after 1800, splitting it into so-called radical and moderate wings. While the moderates continued to dominate in national Republican circles, by 1810 the democratic philosophy of the majority appeared to prevail within state politics, so that even the party name changed to Democrat for contests on the state and local level.[7]

Rapid economic growth during and after the War of 1812 sharpened the differences among Democratic Republicans and accelerated the pace of party breakdown. A "New School" of Democrats emerged from among the old moderates to welcome and foster a burgeoning entrepreneurial spirit. The platform of the New School promised rewards to men of ambition regardless of their origins. The heirs of the radical Republican tradition, calling themselves "Democrats of the Old School," rejected this notion as a selfish perversion of the democratic ideal.[8]

The disagreement came to a focus over the newly important issue of banking and paper money. The wartime economy inspired the legislature in 1814 to enact a "mammoth banking law," simultaneously incorporating forty-two new banks to join the four previously chartered.[9] Democrats of the Old School predicted that unrestrained banking would have disastrous moral and social consequences. Faithful to their Jeffersonian ideology of a republic grounded upon a virtuous citizenry, they foresaw a revolution in values destroying the social foundations of democracy. Industry and thrift would give way to sordid specu-

[7] The best account of the radical-moderate split nationally, which focuses on the judiciary issue, is Richard E. Ellis, *The Jeffersonian Crisis: Courts and Politics in the Young Republic* (New York, 1971). On Pennsylvania see Kim Tousley Phillips, "William Duane, Revolutionary Editor," unpublished doctoral diss., University of California, Berkeley, 1968, chaps. III–VI.

[8] See Phillips, "William Duane," chaps. VII, XI, XII, and "Democrats of the Old School in the Era of Good Feelings," *Pennsylvania Magazine of History and Biography*, XCV (July 1971), 363–382, for a fuller discussion of the political impact of the economic developments from the War of 1812 through the Panic of 1819.

[9] Philadelphia *Aurora*, "Caius Gracchus," July 31, 1817.

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lation. Paper money would be "so plenty presently," one cynic predicted, "that no man . . . need be without an estate," except "one who feels qualms of conscience, or that damn'd starving quality called *honesty*." The end result would be a nation that respected property and wealth above everything. To the ideologues of the Old School, the most horrifying consequence of paper-money banking was its inevitable tendency to divide America into permanent social classes and to end forever the dream of a classless society.[10]

Ironically, the call to moral restoration of the ideal of an agrarian republic came from the commercial center of Philadelphia and was only belatedly heeded by the farmers of the rural interior. Philadelphia had been first to experience the banking mania, and less prosperous mechanics there saw a decline in their own status and opportunities by contrast with a rising class of new entrepreneurs. Farmers in isolated areas remained unaffected and unaware, while those near the centers of commercial agriculture were infatuated by the lure of credit. It was not until after the Panic of 1819 that farmers responded to the warnings sounded for nearly a decade by the urban radicals.

Rising inflation during the postwar years sustained the boom psychology of the majority and enabled the New School of Democrats to gain control of the party machinery. When the agrarian-minded Simon Snyder stepped down in 1817 he was succeeded in office by William Findlay, who had drafted the banking act of 1814 and was the "prime agent in saddling this state with a litter of 42 banks." The new governor was dominated by a set of sophisticated young eastern politicians, led by Congressman Samuel D. Ingham of Bucks County and George Mifflin Dallas, a Philadelphia lawyer. This inside circle of New Schoolers was so linked by marriage and kinship that it became commonly known as the "Family party."[11]

Under the Family's direction, the Democratic party throughout Pennsylvania began perceptibly to divide along ideological lines. Old-fashioned notions would be purged through "a purification and a regeneration" of the state leadership. In the opinion of Democrats of the Old School, this left the party at the mercy of "a few lawyers of *questionable* character" and "a host of bank *stock holders* and *bank directors*." For the Family men, respectability was the goal and prosperity its best indicator. Conceding that "the canail" and "the offscourings of the party" resisted them, they expressed themselves content that "our men are the genteelist and most respectable" Democrats.[12]

The Family moved too far and too fast in its bid to reshape the Democratic

[10] *Aurora*, February 7, 1810. This theme is repeatedly expressed in letters and editorials in the *Aurora*, the leading Old School newspaper, from 1815 to 1820. See especially the essays of "Brutus" [Stephen Simpson], published regularly during 1818 and 1819.

[11] *Aurora*, December 3, 1818. See Klein, *Pennsylvania Politics*, pp. 96–112, for a general discussion of politics during William Findlay's administration.

[12] George M. Dallas to [Samuel D. Ingham], July 20, 1819, Dallas Papers, Historical Society of Pennsylvania (HSP); *Aurora*, "Caius Gracchus," July 31, 1817; John Lisle to George Bryan, January 25, 1823, George Bryan Papers, HSP.

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party in its own image. Westerners and farmers began to resent the evidence of a city "*Junto* or rather *Dynasty*" determined "to govern every body & every thing" in Pennsylvania. Growing numbers of them listened to the urban radicals when they charged that the party in power was a coterie of greedy insiders, using their privilege for personal gain. When major scandals confirmed this, the governor was left standing "in the naked imbecility of folly, surrounded," one old agrarian commented, "by men as or more foolish than himself & all equally selfish."[13]

The Panic of 1819 sharply intensified the disgust with corruption and self-seeking activities. Reckless banking policy had encouraged a false prosperity based upon runaway inflation. When the inevitable reversal came, the public understandably resented the banks for saving themselves at the people's expense. Angry disillusionment was accompanied by a spirit of reform that was reflected in the legislative action on banking. Pennsylvania not only proposed a constitutional amendment to kill the Second Bank of the United States, but more significantly, it enacted a rigorous measure to bring its own wildcat banks under stringent control. The chastened mood among Pennsylvanians encouraged moralists of the Old School to view the adversity as a secret blessing.[14]

In the gubernatorial election of 1820 Pennsylvania's voters ousted an incumbent Democratic Republican for the first time. In doing so they were rejecting the caucus system of politics that permitted officeholders to perpetuate themselves and their friends in power. The victor was the candidate of an anti-caucus coalition which had been active for several years throughout Pennsylvania. The coalition brought together Old School men and others who demanded open nominations to permit free discussion of the important new issues created by economic change. The principle had already made impressive gains and, in 1820, depression and disillusionment tipped the balance.[15]

[13] Andrew Boder to George Bryan, March 6, 1823, George Bryan Papers, HSP; Walter Lowrie to Jonathan Roberts, July 14, 1822, Jonathan Roberts Papers, HSP; Jonathan Roberts to Matthew Roberts, February 27, 1820, ibid. On the financial scandals and their political effect, see also Jonathan Roberts to Matthew Roberts, December 14, 18, 1818, February 16, April 29, 1820, ibid.; *Thomas Sergeant to Thomas J. Rogers, January 21, 1819*, Dreer Collection, HSP; George M. Dallas to [Samuel D. Ingham], July 20, 1819, Dallas Papers, HSP; Charles J. Ingersoll to James Monroe, August 10, 1819, Monroe Papers, New York Public Library (NYPL); Thomas Cadwalader to Richard Rush, September 25, 1819, Cadwalader Collection, HSP; as well as newspaper reports during the spring and summer of 1819.

[14] Ralph C. H. Catterall, *The Second Bank of the United States* (Chicago, 1903), pp. 51–67; Thomas P. Govan, *Nicholas Biddle, Nationalist and Public Banker, 1786–1844* (Chicago, 1959), pp. 57–59. On the response of other states to the proposed amendment, see *Pennsylvania Archives*, 4th series, 12 vols. (Harrisburg, Pa., 1900–1902), V, pp. 206–210, 234–237, 276–277, 410–411. The legislative debate on state banking reform may be followed in the *Harrisburg Chronicle*, February 1, 8, 15, June 7, 1819.

[15] Sanford W. Higginbotham, *The Keystone in the Democratic Arch: Pennsylvania Politics, 1800–1816* (Harrisburg, 1952), pp. 317–319, 321; Klein, *Pennsylvania Politics*, pp. 79–83, 95, 108–109; James A. Kehl, *Ill Feeling in the Era of Good Feeling: Western Pennsylvania Political Battles, 1815–1825* (Pittsburgh, 1956), pp. 198–199, 203.

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The anticaucus movement failed, however, to coalesce into an effective new party because it lacked strong leadership. The honest but timid new governor, Joseph Hiester, was temperamentally unsuited to lead the kind of reform effort his supporters had envisioned. Nationally their favorite had been De Witt Clinton, whose Erie Canal project they admired as the ideal form of governmental action, benefiting the commonwealth at large without favoritism or special privilege. But by 1822 his hopes for the presidency had evidently foundered on the rock of New York politics. The Pennsylvania radicals were left with a cause but without a candidate.[16]

Thus the well-organized Family could expect to regain its dominance over Pennsylvania's Democrats. To soothe the feelings of resentful farmers, the party compromised upon a noncontroversial candidate, John A. Schulze, for the next governor. All attention turned toward the presidential election as the contest which would determine the future direction of state politics.[17]

Sources of the Jacksonian Alliance

Until March 1823, when the anticaucus reformers dramatically entered General Andrew Jackson into candidacy in Pennsylvania, the contest there was an unequal struggle favoring Secretary of War John C. Calhoun over Secretary of the Treasury William H. Crawford. The leading Family members were devoted to the young and ambitious Calhoun, who resembled them both in style and in enthusiasm for the new entrepreneurial democracy. He came from South Carolina, but it was understood that "his feelings are Northerly," although a skeptic observed that "his politics hang very loose about him—and indeed he cannot be properly accused of *any principles*—but an inflexible devotion to No. 1."[18]

In the postwar Congress Calhoun had amply demonstrated his business-oriented modern Republicanism. The legislation creating the Second Bank of the United States had been the work of Calhoun in cooperation with George Dallas' father, Secretary of the Treasury Alexander James Dallas. In the view of Democrats of the Old School, such men should be rejected "for our *Presidents*, or even for our Representatives," indeed "for the most trifling office" in the people's gift.[19]

Calhoun's competitor, William H. Crawford of Georgia, for years had so carefully nurtured his good relations with Republican congressmen that he was assured of the caucus nomination. But Crawford's friends in Pennsylvania were

[16] See the Philadelphia *Franklin Gazette*, May 6, 1822; Philadelphia *Columbian Observer*, April 20, 27, 1822; Klein, *Pennsylvania Politics*, pp. 113–117, on Governor Joseph Hiester's administration. On the relationship between Clinton and Pennsylvania's anticaucus movement, see Phillips, "William Duane," pp. 424–428, 438–439, 532–543, 546–547.

[17] Klein, *Pennsylvania Politics*, pp. 132–142.

[18] R. H. Walworth to A. C. Flagg, December 28, 1821, Azariah C. Flagg Papers, NYPL; *Aurora*, June 6, 1818.

[19] *Columbian Observer*, September 12, 1823.

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aging politicians who badly miscalculated the chances of this uninspiring southerner in the state where anticaucus sentiment was strongest. His opponents justly claimed that "without the aid of a congressional nomination" he could not "command two thousand votes in this great republican commonwealth."[20]

The two other presidential candidates had little chance for the endorsement of Pennsylvania. Secretary of State John Quincy Adams was thought still too close to his Federalist origins, and Henry Clay of Kentucky was being held in reserve as a second choice by the Calhounites. To avoid offending the Family party he delayed any independent campaign in Pennsylvania until it was too late, despite warnings that the Family "hangs on with all the tenaciousness of a first love . . . to our friend Calhoun."[21]

Thus, as far as could be judged from the usual calculations of political strength, Calhoun looked certain to receive Pennsylvania's support. After more than a year of preparation, his Family friends planned to have him formally endorsed at Harrisburg in March 1823 by the statewide convention to nominate a gubernatorial candidate. But at this meeting a totally unforeseen development occurred. The delegates from the southwestern county of Westmoreland offered a resolution "recommending General Andrew Jackson for the office of President of these United States." Tumult erupted in the convention as the startled Family men rushed "to get rid of . . . [the motion] without taking a vote." Dallas claimed that two-thirds of the convention had been "fully ascertained" to favor Calhoun. Yet such was the temper of the gathering that Calhoun's friends staved off the Westmoreland resolution only by arguing that the presidential question was premature.[22]

Where had this astonishing Jackson sentiment come from? A South Carolina friend of Calhoun's was not far off the mark when he blamed "the grog shop politicians of the villages & the rabble of Philadelphia and Pittsburgh."[23] For the four Pennsylvania communities actively organizing for Jackson before the Harrisburg explosion were the state's three largest cities, Philadelphia, Pittsburgh, and Harrisburg, together with the village of Greensburg in Westmoreland County. More precisely, the Jackson movement seems to have been born in Philadelphia and transmitted to the other communities through rudimentary but effective political machinery.

The three cities had for years been the centers of "the heterogeneous old school cabal" protesting against caucus politics and the economic favoritism and special privilege which it fostered.[24] Reflecting urban sensitivity to the

[20] John Norvell to Henry Clay, November 14, 1822, in James F. Hopkins (ed.), *The Papers of Henry Clay*, series in progress, 5 vols. (Lexington, Ky., 1959–), III, p. 321.

[21] Langdon Cheves to Clay, November 9, 1822, ibid., p. 316.

[22] *Harrisburg Chronicle*, March 6, 1823, quoted in Klein, *Pennsylvania Politics*, p. 138; Calhoun to Virgil Maxcy, March 12–13, 1823, in William M. Meigs, *The Life of John Caldwell Calhoun*, 2 vols. (New York, 1917), I, p. 296; *Franklin Gazette*, March 8, 1823.

[23] George McDuffie to Charles Fisher, January 13, 1823, quoted in Sellers, "Jackson Men with Feet of Clay," p. 546.

[24] Jonathan Roberts to Matthew Roberts, January 1, 1820, Roberts Papers, HSP.

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strains and insecurities induced by rapid economic growth, boom and bust, the Old School Democrats furnished the seedbed for the Jackson movement. Economic depression made the countryside, too, susceptible to the Old School cast of mind, especially as typified by resentment at the state's inflationary banking system.

It is significant that the Jacksonians from the rural community of Westmoreland were passionate antibanking spokesmen, harshest in their accusations against the feeble Bank of Westmoreland for victimizing their constituency of farmers.[25] In the 1823 and 1824 sessions of the legislature Old School men fought to prevent renewal of the bank charters granted so liberally in 1814. In that contest "the influence of the three cities" and their increasing rural allies failed "to destroy the banks." But the antibank coalition did succeed in restricting the duration of bank charters and staggering the dates they were to expire. By this means the coalition expected to dismantle the banking complex piecemeal.[26] For Pennsylvania, at least, it seems clear that the Panic and depression had united farmers and working men in a common sense of economic oppression. Members of the urban-rural alliance against the banks were to form the core of the earliest support for Jackson.

The first signs of a movement for Jackson came from Philadelphia in the spring of 1822, at least half a year earlier than anywhere else in Pennsylvania. There a new paper was founded only weeks following the first agitation within Tennessee, with the clear purpose of serving as the hero's advocate in the north. The *Columbian Observer* quickly attracted wide notice. Andrew Jackson subscribed in August and De Witt Clinton was another early reader. John Quincy Adams disdained its heavy ironies about him as the work of a "donkey" playing "the lap dog," but asked his wife nonetheless to inquire who was the editor among "any . . . of your visitors who talk politics." Secretary Adams himself made a shrewd guess at the *Observer's* identity when he calculated that the new paper was "rising to take the place of the setting *Aurora*."[27]

[25] Greensburg *Westmoreland Republican*, December 27, 1822. See also ibid., January 31, March 7, 21, 1823, March 5, 12, 26, 1824; *Greensburg Gazette*, March 5, 1824.

[26] Jonathan Roberts to Matthew Roberts, March 21, 1824, Roberts Papers, HSP. The bank recharter fight in the assembly may be followed in the letters of Jonathan Roberts to Matthew Roberts, January–March 1824, ibid.; Harrisburg *Pennsylvania Intelligencer*, December 1823–March 1824; Philadelphia *National Gazette*, December 18, 1822; February 28, March 17, 26, 1823; *Franklin Repository*, March 18, April 1, 1823; February 24, March 2, 9, 30, 1824. The final law and financial statements on the rechartered banks are contained in *An Act to Recharter Certain Banks, to which are Added the Several Acts of Assembly Relative to Banks, and the By-laws of the Farmers and Mechanics Bank* (Philadelphia, 1824), pamphlet, HSP. For a contrast of Jacksonian and Calhounite views on recharter, see *Columbian Observer*, March 28, 1824, and *Franklin Gazette*, March 31, 1824.

[27] Adams to Louisa Catherine Adams, August 28, 1822, in Worthington C. Ford (ed.), *Writings of John Quincy Adams*, 7 vols. (New York, 1913–1917), VII, p. 297; Stephen Simpson to Jackson, November 3, 1825, Andrew Jackson Papers, Library of Congress (LC). The *Columbian Observer* file in the New York Historical Society was formerly the property of De Witt Clinton.

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The Old School ties of the Jacksonian paper were confirmed when editor Stephen Simpson revealed himself. Historically Simpson is best known for his role in 1830 as a candidate of the first labor party and for the radical economics of his *Working Man's Manual*. But among contemporaries he had been notorious since 1818 for his stinging essays on banking and politics, exposing the social consequences of overly rapid economic expansion. Under the pseudonym "Brutus," Simpson had contributed almost daily to Philadelphia's famous *Aurora*, edited by William Duane, the long-time leader of the urban radicals. When the aging Duane was forced to retire in 1822, his young protégé carried on the Old School cause and linked it to the name of Jackson.[28]

The hero of New Orleans to Simpson was nothing less than a political messiah come to save the soul of America. The inspired frenzy of his journalism persuaded cooler men of more moderate opinions that they were contesting with "a madman." But a western admirer assured Jackson, "If you had only a Stephen Simpson in every State in the union, you would be elected President by the largest majority ever heard of in the known world."[29]

Jackson's political intimates in Tennessee were keenly aware of the dynamic potential of Simpson's *Observer*. Major William B. Lewis and General John Eaton regularly sent advice and contributed articles. Jackson himself "carefully answered" his correspondence from Simpson and pointedly refused to interfere when asked to deflect the slashing journalism. By 1824 it was considered unsafe "to offend the Observer," and seasoned editors and politicians found it galling to see the radical Simpson "gaining so rapidly in strength" with the "aid of Jackson."[30]

Until the end of 1822 Simpson was able to report only isolated signs around the state of a preference for Jackson. But in December a series of separate actions

[28] Charles J. Ingersoll to James Monroe, October 29, 1820, Monroe Papers, NYPL; Simpson to James Buchanan, June 1, 1840, James Buchanan Papers, HSP; Broadus Mitchell, "Stephen Simpson," *Dictionary of American Biography* (New York, 1928–1937), XVII, pp. 183–184; Henry Simpson, *The Lives of Eminent Philadelphians, Now Deceased; Collected from Original and Authentic Sources* (Philadelphia, 1859), pp. 893–894; Edward Pessen, "The Ideology of Stephen Simpson, Upper Class Champion of the Early Philadelphia Workingman's Movement," *Pennsylvania History*, XXII (October 1955), pp. 328–340; Joseph Dorfman, *The Economic Mind in American Civilization, 1606–1865*, 5 vols. (New York, 1946–1959), II, pp. 645–648.

[29] Westchester *Village Record*, April 9, 1823; Edward Patchell to Jackson, August 7, 1824, in John Spencer Bassett (ed), *The Correspondence of Andrew Jackson*, 7 vols. (Washington, D.C., 1926–1935), III, p. 264.

[30] William B. Lewis to The Columbian Observer of Philadelphia, September 20, 1824, Jackson-Lewis Papers, NYPL; Simpson to Jackson, July 5, 1823, endorsement on envelope, Jackson Papers, LC; William Hayden, Jr., to Jackson, March 29, 1824, Bassett, *Correspondence*, III, p. 242; Jackson to Hayden, Jr., March 30, 1824, ibid., p. 243; Westchester *Village Record*, April 15, 1823, February 11, 1824; Nathan Sargent, *Public Men and Events*, 2 vols. (Philadelphia, 1875), I, pp. 56–60. Two important campaign documents first published in the *Columbian Observer* were Eaton's "Letters of Wyoming," and Jackson's 1817 letters to James Monroe. Bassett, *Correspondence*, III, p. 244n.; Shaw Livermore, *The Twilight of Federalism: The Disintegration of the Federalist Party, 1815–1830* (Princeton, N. J., 1962), p. 161.

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began that rapidly coalesced into a campaign organization. The warm endorsement of the hero in Philadelphia by the "ably conducted" *Columbian Observer* inspired a call to action in distant Westmoreland County. Jackson's first public nomination in Pennsylvania came on December 28 at the Greensburg Courthouse. The active men of Westmoreland included David Marchand, who had served two terms in Congress, and Jacob M. Wise, a prominent member of the standing committee. Frederick A. Wise was the editor of the pro-Jackson, anti-banking *Westmoreland Republican*, and Assemblymen John A. Wise and James Clarke, ardent opponents of banking incorporations, were other well-known names among the local Jacksonians.[31]

Less than a week after the nomination at Greensburg, Pittsburgh's Congressman Henry Baldwin wrote to assure Jackson of his support. The anticaucus leader's endorsement was taken as a signal that the Pennsylvania campaign was underway, and Jackson who had "hitherto avoided speaking" now replied privately that he was willing to serve. Baldwin does not appear to have had any ties to the Westmorelanders; but he had known Stephen Simpson for some years through William Duane. Pittsburgh's Original Jacksonians came from anticaucus origins and showed a strong interest in promoting the welfare of manufacturers and mechanics.[32]

By February 1823 preparations were quietly advancing to thwart the Calhounites' plan to nominate their candidate the following month at the statewide gubernatorial convention in Harrisburg. To the *Columbian Observer* "Every day" brought "some fresh assurance that General Jackson will be the candidate of the democracy of Pennsylvania." The key cause for optimism was the work of the Dauphin County committee in Harrisburg. There Henry W. Peterson, a tavern keeper, and an unemployed journalist named John McFarland had been publishing pro-Jackson articles in the *Commonwealth*, known as the "Smut Machine" to the Family party. In late January the Dauphin County Jacksonians issued their first public address and shocked their adversaries by ordering "*ten thousand copies* . . . to be printed."[33]

[31] *Westmoreland Republican*, December 13, 27, 1822; January 3, February 21, November 21, 1823; Pittsburgh *Allegheny Democrat*, June 26, 1827. Klein, *Pennsylvania Politics*, pp. 120–125, is a brief but helpful account of the campaign to March 1823.

[32] Baldwin to Jackson, January 1, 1823, Bassett, *Correspondence*, III, p. 184n.; Jackson to Baldwin, January 24, 1823, ibid., p. 184. On Baldwin and Simpson, see Duane to Baldwin, January 7 [1820?], Henry Baldwin Papers, Crawford County Historical Society, Meadville, Pa.; *Columbian Observer*, letter from Washington, November 9, 1822; Baldwin to Simpson, July 21, 1829, in Meadville *Crawford Messenger*, December 31, 1831. Baldwin to H[arm] J[an] Huidekoper, January 3, 1819, Baldwin Papers, expresses his constitutional objection to the Second Bank of the United States and denies that he will be the anticaucus candidate for governor in 1820. Alfred D. Chandler, Jr., "Anthracite Coal and the Beginnings of the Industrial Revolution in the United States," *Business History Review*, XLVI (Summer 1972), 145, 150, points out that the Pittsburgh area was the nation's most industrially advanced region in the 1920s.

[33] *Westmoreland Republican*, quoting *Columbian Observer*, February 28, 1823; *Pennsylvania Intelligencer*, October 24, 1823; Philadelphia *National Gazette*, February 5, 1823. John McFarland claimed to have written the first pro-Jackson article in Pennsylvania. *Allegheny Democrat*,

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The intended effect upon the politicians coming to the city for the convention was achieved with the cooperation of Jackson's campaign strategists in Tennessee. Probably Major Lewis chose the moment for the candidate to declare himself, through a personal reply to the Dauphin committee. The news that General Jackson would welcome Pennsylvania's nomination circulated through the capital just in time to give full force to the nominating resolutions from the Westmoreland delegates. Though the motion was hastily tabled amid pandemonium, it had magnificently served its purpose of seizing the initiative from the Calhounites. Jackson himself surveyed the events and correctly concluded that "Pennsylvania has taken her course."[34]

Why Jackson?

What motivated the original Jacksonians who so unexpectedly won this first round in the battle for Pennsylvania? Certainly they could have known little of their hero's politics. What gave them their intuitive confidence that he shared their principles?

Fundamentally shaping the course of the original supporters was their conviction that the once noble party of Jefferson had sunk into moral and ideological bankruptcy, and could be revived only through a vigorous reassertion of the spirit of party. They felt mixed anger and contempt for James Monroe's administration. In economic policy it was both corrupt and inept, in their opinion, first encouraging the unhealthy economic climate leading to Panic, then abandoning the public to suffer the consequences.

The Westmorelanders in their resolutions first nominating Jackson had issued an angry economic indictment of the administration.[35] The resolutions also called for a higher tariff. But this issue was not identified with any particular presidential candidate, for Pennsylvanians were generally agreed on the demand for protection. They tended to differ, however, in their conceptions of the industrial future. Philadelphia's Old School Democrats, for example, envisioned it as a counterpart of the agrarian past, with independent artisans corresponding to independent farmers. They attacked the arch-protectionist Mathew Carey, a Clay supporter in 1824, for supporting a banking system which would impoverish working men.[36]

June 26, 1827. His assertion cannot be tested, as there is no extant collection of the Harrisburg *Commonwealth*. The earliest declaration for Jackson discovered by Klein, *Pennsylvania Politics* (p. 123), was in the *Crawford Messenger*, September 17, 1822. The *Trenton Emporium* was probably correct in stating that the *Columbian Observer* was "the first paper that declared for Jackson." Quoted in *Allegheny Democrat*, June 26, 1827.

[34] Jackson to H. W. Peterson, February 23, 1823, in Bassett, *Correspondence*, III, pp. 189, 189n.; Jackson to John Coffee, April 15, 1823, ibid., p. 194; *Pennsylvania Intelligencer*, April 1, 1823. Jackson's letter to "The Committee of Dauphin" was widely reprinted, e.g., Philadelphia *National Gazette*, March 22, 1823; *Westmoreland Republican*, March 28, 1823.

[35] *Westmoreland Republican*, January 3, 1823; *Greensburg Gazette*, January 3, 1823.

[36] William Duane to Carey, February 14, [1822?], Edward Carey Gardiner Collection, HSP; *Aurora*, "Brutus," June 24, 1819.

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The Westmorelanders' demand for "retrenchment" characterized the dominant mood of early Jacksonians there and elsewhere. "Retrenchment" implied more than economy in government expenditures; it signified a retreat from luxury and self-serving into a happier era of republican probity.[37] To Pennsylvania's self-confident Calhounites the distress of recent years was a closed issue.[38] But men more distant from power mistrusted their sanguine pronouncements and were less inclined to forget the failures of their national leaders.

Reform was possible only through a rebirth of political parties. The original Jackson supporters had never trusted the accommodationist philosophy of the so-called Era of Good Feelings and, to them, the results proved that the country had been better off when parties "flourished in their most rank luxuriance."[39] The legitimacy of party was not an idea originating earliest or exclusively in Martin Van Buren's New York, as Michael Wallace and Richard Hofstadter have suggested.[40] Through the anticaucus movement, Pennsylvania's original Jacksonians had worked since 1816 to revive a partisan rivalry that they regarded as essential to the nation's political health. Thomas Jefferson himself speculated whether the "civil revolution of 1801" had been subverted by the "surrender of our [Federalist] opponents" and "their reception into our camp." By 1822 Jefferson had come to the opinion that the "wholesome" "party divisions of whig and tory" served to "keep out those of a more dangerous character." The Jacksonians were pleased to circulate his privately expressed view in confirmation of their own belief that parties were "well worthy of being nourished."[41]

Thus the original supporters were bound to oppose the three presidential candidates who sat in Monroe's nonparty cabinet, as well as Henry Clay who vied with the others in claiming the legitimacy of his succession in the nonparty regime. Moreover their Family rivals were backing Calhoun as the candidate perhaps "identified, more than any other . . . , with the excellent administration of Mr. Monroe." To the original Jacksonians, "the abominable and corrupted atmosphere of the Cabinet at Washington" was an unsatisfactory "school for *Statesmen* and *Heroes*."[42]

Finding an independent candidate was essential, an original supporter argued in 1821, "if we would keep up the appearance of Republicanism and not go into Monarchy at once." For, he reasoned, "it is idle to talk of Republicanism when a *new* government is interested in concealing the misconduct of the one which

[37] See, e.g., *Westmoreland Republican*, "J. B.," May 16, 1823.

[38] See *Franklin Gazette*, February 16, 1822.

[39] *Columbian Observer*, April 6, 1822.

[40] Wallace, "Changing Concepts of Party in the United States; New York, 1815–1828," *American Historical Review*, LXXIV (December 1968), 453–491; Hofstadter, *The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780–1840* (Berkeley and Los Angeles, 1969).

[41] Jefferson to W. T. Barry, July 3, 1822, in Philadelphia *National Chronicle*, October 11, 1825; *Columbian Observer*, April 6, 1822.

[42] Westchester *Village Record*, November 5, 1823; *Columbian Observer*, September 12, 1823.

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preceded it." The Old School and anticaucus men heartily agreed. For them it was De Witt Clinton's antiadministration posture that had made him so attractive as a potential candidate. Thus when Clinton's hopes faded, and when Jackson was put forward by an accident of local politics in Tennessee, the Pennsylvanians were naturally interested. Among the candidates, he alone stood wholly independent of the administration.[43]

As important as Jackson's nonestablishment image was to the original supporters' view of him, it is not sufficient to explain their extraordinary enthusiasm for his candidacy. Far beyond any calculations of the hero's availability, they were convinced that he was their man. How could they know that Jackson shared their ideas about banking and speculation, their fears of a business elite, their hostility to government favoritism? Charles G. Sellers has convincingly demonstrated that Jackson was an old style Democrat in the early 1820s and that his attitudes on issues then presaged his public policies of a decade later.[44] But the evidence available for Pennsylvania does not suggest that the original supporters were familiar with Jackson's opinions, or that they made much effort to find out where he stood. Yet they were certain that he was the reformer they sought.

The assumption that Jackson's appeal to voters was a charisma growing out of his military fame is both true and misleading. It is true that Jackson's heroism in military exploits was fundamental to the original supporters' admiration of him. But what they saw in Jackson's record in the field were unique qualities of character and leadership.

The Battle of New Orleans and even the high-handed invasion of Pensacola had captured their imaginations and convinced them that Old Hickory stood above ordinary mortals. The ardent devotion of Stephen Simpson had been born during "the Siege of New Orleans" when he was a volunteer. The "honour and glory of serving" under Jackson was an event he would "ever remember with pride & exultation, both as an *American* and a *Man*."[45] The reckless invasion of Spanish sovereignty impressed the original Jacksonians as an act of superior morality. By a strange twist of social psychology, Jackson's bloody deeds in Florida were perceived as admirably clean and candid, in contrast to the hypocrisy of wily diplomacy and negotiation. Clearly, Pensacola inspired the men's confidence in Jackson. To them it not only demonstrated his decisiveness and independence, but also revealed his purity of character.[46]

Thus perceiving Jackson, they felt an overwhelming confidence that he shared their sense of the need for reform. Contrasting his personality with "those creatures that derive their nurture about the *public dunghill*," they relied upon him "to effect a *radical* change" by a "thorough overhauling of affairs at Wash-

[43] *Harrisburg Chronicle*, August 21, 1821.

[44] "Banking and Politics in Jackson's Tennessee, 1817–1827," *Mississippi Valley Historical Review*, XLI (June 1954), 61–84.

[45] Simpson to Jackson, July 5, 1823, Jackson Papers, LC.

[46] See, e.g., *Aurora*, June 13, 1818.

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ington City." When the advocates of other candidates pointed out his lack of experience, his supporters simply retorted that "*pigmies* should never be contrasted with Giants."[47] Indeed, Jackson's lack of experience was perceived as a positive merit, protecting a purity that was lost to the sophisticates who opposed him. John William Ward has pointed out the appeal of Jackson as a "Man of Nature," and Pennsylvania bears out his insight.[48] Throughout the campaign of 1824 the hero's partisans around the country were repeatedly to sound the theme that "The Great Augean Stable at Washington wants cleansing, and we know of no other Hercules."[49]

The Campaign for a New Politics

The powerful appeal of this theme to a public troubled by the Panic of 1819 was reflected in the enthusiastic response to Jackson's candidacy after his name was put forward at Harrisburg. No successful political movement can maintain a simple ideological purity, and it would be unrealistic to argue that every early Jacksonian shared the original supporters' concern with issues. The hero of New Orleans in his own right was a fascinating personality amongst a field of colorless presidential contenders. Sensing the enchantment with Jackson, many rural politicians who had been leaning to Crawford shifted to Old Hickory to protect their own popularity.[50] To some extent local and regional jealousies were also a factor. In supporting Jackson against Calhoun, rural and western Democrats hoped to deflate the pretensions of the eastern-dominated Family party.

Jackson's Scotch-Irish heritage added to the affection for him, although ethnic appeal contributed nothing to the popularity of the equally Irish Calhoun. The Family was silent on the subject over the course of the campaign, while the Jacksonians frequently mentioned the hero's background, as if in further proof of his good character. In part this reflected a difference in the constituencies of the two groups. A disproportionate number of Irish had supported the anti-caucus coalition which became the sponsor of Jackson's candidacy. The Family, however, had tended to drive away what Irish support it had enjoyed.[51] The reputation for snobbishness which the Family carried into this campaign evidently rubbed off on its candidate. Calhoun, as one Old School man had put it, although "the son of a most worthy and open-hearted Irishman, was educated

[47] Ibid.; *Harrisburg Chronicle*, May 8, 1823; *Columbian Observer*, September 12, 1823.

[48] Ward, *Andrew Jackson, Symbol for an Age*, chaps. II–V.

[49] *Westmoreland Republican*, quoting *Lancaster Journal*, December 6, 1822.

[50] See the letters of Jonathan Roberts to Matthew Roberts, especially January 14, 1824, Roberts Papers, HSP.

[51] This generalization is based upon the evidence for eastern Pennsylvania, especially Philadelphia. Naturalized Irish were a major component of the Old School Democrat party. The Family, in taking control of the New School, forced out the Irish editor John Binns and his following as part of its drive for respectability. (See Phillips, "William Duane," esp. chap. XII.) The Scotch-Irish of western Pennsylvania appear to have remained loyal caucus Democrats at least until 1820.

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at Yale" and hence not to be trusted by those who lacked his advantages. Pennsylvania's Democrats, who had earlier demonstrated a willingness to put social concerns over ethnic preference,[52] did so again in this campaign, in which ethnic factors seem to have been of minor significance.

The mixed motivations for favoring Jackson cannot be sifted with precision. For Pennsylvania, a voter study by county would reveal nothing useful, for Jackson had eliminated all compeition by the time of the actual election. While conclusions cannot be definitive, it is still fair to say that the primary thrust of the campaign to nominate Jackson was a reform spirit generated by economic crisis.

The active Jacksonians who carried the cause forward were a team of Old Jeffersonians and young zealots who envisioned Old Hickory's election as the birth of a new politics. According to the Calhounites, "the well known props of democracy" were missing from the movement and "A new set, either wholly unknown or known only for their obliquities and disaffection, supplied the places which have generally been filled by our most respected names."[53] New men who had never before been involved in politics were, indeed, a prominent and dynamic element in the Jackson campaign. Political elders scorned them as "misguided youths" and mere "giddy young men," but were to find themselves no match for their "unceasing perseverance."[54] The disaffected Democrats whom the Calhounites complained of were Old Jeffersonians alienated from the new school of entrepreneurial democracy. Among them were men with political ties extending back to anti-Federalism. While they lamented the declining reverence for "the principles of 1776 & 1800," the veterans were encouraged by the moral vision of the young insurgents. As one of them put it, "the Jefferson school has . . . successors of the same principles" in the "new generation" of young Jacksonians.[55]

The new generation, for its part, was happy to acknowledge the ideological ties. William Duane was honored with a nomination to Congress when Philadelphia's original Jacksonians ousted the Family's nominee and in "an *orgie*" among "the worshipful" confirmed their choice of the grand old man of the Old School. Another friend of Thomas Jefferson's, Thomas Leiper of Philadelphia, gave prestige to the Jacksonian cause through his conspicuous role in the campaign. Leiper had lost thousands during the Panic through endorsing friends' bank loans, and Jefferson sympathetically reminded him "how loudly my voice was raised agt. the estabmt of banks in the beg/inning/ . . . like that of Cassandra it was not listened to." But on the presidential question Jefferson demurred, "I am really done, my friend, with Politics," for "there is a time for

[52] *Aurora*, June 6, 1818. Irish Democrats were instrumental in rebuffing Scotch-Irish incumbents in the gubernatorial elections of 1805 and 1820.

[53] *Franklin Gazette*, "A Democrat of '98," February 6, 1824.

[54] *Allegheny Democrat*, June 29, 1824; Jonathan Roberts to Matthew Roberts, February 29, 1824, Roberts Papers, HSP; *Pennsylvania Intelligencer*, April 1, 1823.

[55] William Duane to Jefferson, October 19, 1824, Thomas Jefferson Papers, LC.

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everything, for acting in this world and for getting ready to leave it. The last is now come upon me." James Thackara, another veteran of the party battles of the 1790s who remained a hard money agrarian of the Virginia school, was one of Stephen Simpson's most active lieutenants in the campaign. Another "pet of Stephen Simpson" was Assemblyman Jacob Holgate, who had been removed as speaker of the House through banking influence in 1816 and who in 1824 continued to fight the banks in the acrimonious debates on recharter. Holgate was honored with the position of chairman of the convention which nominated Jackson.[56]

The contagious spirit of the Jackson men's sense of mission gave a tone to this campaign that was wholly unprecedented. The Jacksonians invited and inspired mass participation in the electoral process for the first time. Hundreds turned out at a moment's notice for their frequent meetings and rallies. Caucus men were shocked by the "noise and bustle," the "scenes of confusion and tumult," and complained that "violence & audacity" were "the temper of Jackson & his friends every where." More comfortable with the old deferential style of politics, they were alarmed by the implications of these campaign tactics. They challenged the legitimacy of such "irregular . . . proceedings," and expected "the great body of sober Pennsylvania democrats" to share their sense of outrage. Evidently the new style was not offensive to the majority, for "the Jackson faction" was soon "running away with the public feeling," and the "good men" of the party appeared helpless to "oppose the phrenzy."[57]

The well-placed Calhoun men, calculating somewhat cynically that "mere effervescence . . . can accomplish nothing," still expected to thwart Jackson's "excessive popularity." Wisely avoiding any direct criticism of the hero, they attacked the radicalism of his original supporters. "General Jackson had been imposed on," in their opinion, by a campaign that used his name "like a jewel in a toad's head." A platform which dared to condemn the Monroe administration and demand a new direction in economic policy was genuinely abhorrent to the Calhounites. In their view the *Observer* editor, Stephen Simpson, was "a *leveller*, a would-be destroyer of almost everything fixed, and stable, and valuable in our republican government."[58]

[56] Philadelphia *United States Gazette*, September 22, 18, 23, 24, 25, 1824; Philadelphia *National Gazette*, September 17, 18, 23, 1824; Philadelphia *Democratic Press*, September 15, 17, 18, 1824; Leiper to Jefferson, received May 27, 1823, March 16, 1824, Jefferson Papers, LC; Jefferson to Leiper, May 31, 1823, April 3, 1824; ibid.; Simpson to Jackson, July 5, 1823, Jackson Papers, LC; *Columbian Observer*, February 23, 1824; Hugh Hamilton to John Sergeant, January 4, 1816, John Sergeant Papers, HSP; Jonathan Roberts to Matthew Roberts, March 21, 1824, Robert Papers, HSP; *Franklin Repository*, February 24, 1824; Klein, *Pennsylvania Politics*, p. 164n.

[57] *Pennsylvania Intelligencer*, April 1, 1823; *Franklin Gazette*, January 10, February 12, 13, 1824; Jonathan Roberts to Matthew Roberts, January 14, February 7, 29, 1824, Roberts Papers, HSP. See also *Franklin Repository*, August 19, 1823.

[58] George M. Dallas to William Darlington, January 27, 1824, quoted in Klein, *Pennsylvania Politics*, p. 158; *Pennsylvania Intelligencer*, April 11, 1823; *Franklin Gazette*, January 10, 1823, August 17, 1824.

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Yet at the same time the Calhounites charged that the Jackson campaign was a plot to revive Federalism.[59] For those who claimed to believe in the continued integrity of the Republican party, beating the dead horse of Federalism was an obvious and useful tactic. But the charge is worth examining, for it has been argued that Federalists were a significant element in the origins of the Jackson movement.[60] This is a doubtful conclusion, not sustained by the available evidence. It is probably more accurate to say that some Federalists were initially attracted to the notion of Jackson's candidacy, but quickly dropped out of the campaign when they discovered its radical purpose. Federalists and Old School Democrats had cooperated briefly and uneasily in the anticaucus coalition that elected a reform-minded governor in 1820, but except on the caucus issue it was an unnatural alliance. For the reform Democrats any lasting amalgamation was precluded by the tolerance for banks among most Federalists.[61] The goal in supporting Jackson was to reconcile and rebuild the Democratic Republican party upon the principles of equality and fraternity.

Those Federalists leaning to Jackson were soon made to understand that they were not welcome in the movement. In Westmoreland County they quickly renounced their endorsement and abandoned the campaign to "some of the noisy democrats" who has assumed "the exclusive right of supporting" Jackson and who "managed the matter" thereafter. Throughout Pennsylvania the Federalists generally lacked enthusiasm for any presidential candidate in 1824. Philadelphia's *United States Gazette* led "Those federal papers that have steered an even course between the two candidates opposed to the caucus," Jackson and John Quincy Adams, but revealed its preference for the "quiet, right onward proceedings" of "the friends of Mr. Adams." The *Gazette* admitted that Jackson's "strength" among the Federalists had been "materially reduced" in the course of the campaign by "the imprudent and suspicious zeal" of the reform Democrats.[62]

The Calhounites knew full well that the real political contest in Pennsylvania was not with Federalists. Rather, it was a struggle among the Democrats themselves for the soul of their party. The Family backers of Calhoun represented an emergent capitalist wing, led by lawyers and dominated by the attitudes of rising businessmen. As nominal Democrats they claimed the votes of farmers and city workers, without speaking to their interests. Indeed, the Family men thinly veiled their contempt for the "Rabble" they sought to manipulate. While they were proud to claim that "the most respectable Repubs are in favor of Calhoun," they had to take what comfort they could in the end from the support of a prosperous minority. The majority of Democratic voters were men of more moderate means and expectations, and they were "loud for Jackson." Obviously there

[59] See *Pennsylvania Intelligencer*, February 17, April 1, 11, 18, July 18, 1823; January 2, February 13, 1824.

[60] Livermore, *Twilight of Federalism*, pp. 158–170.

[61] See Joseph Reed to Congressman John Sergeant, February 28, 1816, Sergeant Papers, HSP.

[62] *Greensburg Gazette*, April 9, November 12, 1824; *United States Gazette*, October 18, 29, 1824.

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was not a strict division by class, nor was every vote for Jackson a vote for reform. Still it is clear that the original supporters had succeeded in their goal of bringing farmers and working men together in support of Jackson.[63]

Toward a New Order of Things

The triumph over the business wing of the party was clearly revealed when the working-class Jacksonians defeated Calhoun within the Family's own commercial constituency of Philadelphia. The occasion arose in the election of delegates to the statewide convention called to meet at Harrisburg in March 1824 for the purpose of nominating a presidential candidate. Jackson was sweeping the rural counties. Still the Calhounites estimated that the convention could be turned to their advantage behind the closed doors at Harrisburg. Then "Catastrophe" struck in Philadelphia. There the Jacksonians led by Stephen Simpson used their force of numbers to carry out a bold maneuver that swept aside the Family-controlled political machinery. With new procedures they carried ten of the fourteen neighborhood elections and took command of the general ward committee that would select the convention delegates.[64]

The news that Jackson men were now "the masters of the wards in Phila" stunned veteran political observers who sensed that the dramatic shift would affect the whole future of state politics. Then, on February 18, came a surprise announcement: at a Philadelphia town meeting, George M. Dallas "struck Calhoun's flag" and declared the Family's support for Jackson. Dallas acted without consulting Calhoun or even informing the candidate of his intention, and Calhoun was mystified by the "unexpected" and "ill-timed" action by a trusted supporter.[65]

The meaning of Dallas' switch has remained something of a mystery because historians have been unaware of the Family's defeat in their own urban stronghold. Four days before his announcement, a rump caucus at Washington had nominated William H. Crawford, and Dallas used that event as justification for his "sacrifice." But the caucus was a disappointing affair attended by only sixty-six congressmen, and it in fact ended any fears of a Crawford victory in Pennsyl-

[63] Rufus King from unknown, Washington, November 28, 1823, Rufus King Papers, New York Historical Society. See also *Columbian Observer*, February 23, 1824; *Allegheny Democrat*, June 29, 1824.

[64] Rufus King to Charles King, February 22, 1824, King Papers, N. Y. Historical Society. See *Columbian Observer*, January 27, 31, February 3, 5, 1824; *Franklin Gazette*, January 10, February 16, August 4, 1824; Jonathan Roberts to Matthew Roberts, January 14, February 5, 7, 10–11, 1824, Roberts Papers, HSP; Klein, *Pennsylvania Politics*, pp. 159–160.

[65] Jonathan Roberts to Matthew Roberts, February 5, 22, 1824, Roberts Papers, HSP; Calhoun to Virgil Maxcy, February 27, 1824, in Meigs, *Calhoun*, I, pp. 307–308. See also *Franklin Repository*, March 2, 1824; *National Intelligencer*, February 23, 1824. Jackson thought that Calhoun had authorized Dallas' action, hence he accepted him as his running mate, frustrating those original supporters who wanted no compromise with the Family party. Jackson to Major William B. Lewis, March 31, 1824, Jackson-Lewis Papers, NYPL. See also Jonathan Roberts to Matthew Roberts, March 7, 1824, Roberts Papers, HSP.

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vania. Actually, "caucus or no caucus," "the family must have turned just as they did . . . to take the/Jackson/faction if they could get it." For Dallas much more was at stake than the fate of a particular candidate. The Family had suffered a humiliating defeat by what it considered a disgraceful gang of radicals. The Philadelphia results, when added to the trend throughout Pennsylvania, suggested the emergence of a powerful new alliance of farmers and urban workers. In this situation the Family could hope to save itself only by embracing Andrew Jackson.[66]

Thus on March 4 at Harrisburg an apparently united Pennsylvania Democracy assembled not "to reason but to vote" 124 to 1 for Jackson as its presidential nominee. But the appearance of unity was highly deceptive. Fearing a perversion of the reformist thrust of their long campaign, many original Jacksonians were distinctly reluctant to welcome the eleventh-hour converts. When the Family appeared for the first time at one county meeting, an exchange of obscenities ended with the new allies "collaring each other!" The "eleventh-hour men," for their part, were anxious throughout to disassociate Jackson's candidacy and themselves from the "black calumnies" of those radicals "claiming to be the *original* friends of General Jackson."[67]

The lone holdout at Harrisburg had been old Jonathan Roberts, who ended a long career in politics "at the moment of trial" with courageous loyalty to William H. Crawford. Roberts saw himself as the representative of the old order looking on at the birth of the new. For him "It was not a pleasant scene to encounter such a host of enthusiasts." Half the delegates were "boys of a day's growth" who celebrated their victory with exuberant "indecorum." According to Roberts, "The good men were panic struck" with "fears of losing popular favor," so that "when it came to the pinch every man went over" but himself. The stunning triumph for the hero of New Orleans showed clearly that there "must be a new order of things," Roberts acknowledged. But "when and how" was not yet evident, for "we know not how far the moonstruck madness may reach."[68]

It was no accident that Pennsylvania showed the way toward Jacksonian Democracy. The state had a long tradition of healthy dissent as a force for change. With its large, heterogeneous and fluid population, Pennsylvania had the sort of social diversity that has been described as necessary to the creation of meaningful political parties.[69] In 1776 it had adopted the most democratic state constitution to emerge from the Revolutionary ferment. It was the first among northern states to embrace Thomas Jefferson and the Republican party.

[66] *Franklin Gazette*, February 19, March 7, 1824; Jonathan Roberts to Matthew Roberts, March 9, 1824, Roberts Papers, HSP.

[67] Jonathan Roberts to Matthew Roberts, March 5, 1824, ibid., *Franklin Repository*, March 2, 1824; *Franklin Gazette*, August 17, 1824. See also, e.g., *Columbian Observer*, February 20, 21, 1824.

[68] Jonathan Roberts to Matthew Roberts, March 5, 7, 9, 1824, Roberts Papers, HSP.

[69] Paul Goodman, "The First American Party System," in William Nisbet Chambers and

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By 1824 changing economic circumstances had dictated a new departure in politics. As the state most advanced toward industrialism, Pennsylvania was particularly sensitive to the questions this raised for the future direction of American society. Their complex economy made Pennsylvanians especially vulnerable to the insecurities of boom and bust. Frightened and angered by the Panic of 1819, they listened to those critics who demanded a change in the leadership and policies of government. The election of 1824 gave them an opportunity to declare their dissatisfaction. In turning to Andrew Jackson as their presidential candidate, Pennsylvania expressed their discontent and their yearnings for reform.

Walter Dean Burnham (eds.), *The American Party Systems: Stages of Political Development* (New York, 1967), pp. 56–89.

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Book Reviews

The Promise of Greatness: The Social Programs of the Last Decade and Their Major Achievements *by Sar A. Levitan and Robert Taggart. Cambridge, Mass., Harvard University Press, 1976.—ix, 316 pp. $15.00.*

When the president-elect assembles his inevitable task forces this fall to map the course for his new administration, those he assigns to appraise what remains of President Johnson's Great Society can find no better place to start than *The Promise of Greatness.* This single volume brings together whatever solid information is available about what the new departures in social legislation of the Kennedy-Johnson era have accomplished, and the data and conclusions are presented—as those familiar with Sar Levitan's earlier evaluative studies have come to expect—with care, precision, balance, and restraint.

This does not mean the authors do not have a distinct point of view. They do. They announce in the preface that the book was written to "defend" their belief that the programs begun in the 1960s "had a massive, overwhelmingly beneficial impact and that the weight of evidence convincingly supports this view" (p. viii). They seek to rebut—without "bending the facts"—the commonly held view, even among liberals, that the Great Society failed. Their book would therefore be of greatest interest to a Democratic task force, but even Republican presidential advisers would find it of value in deciding which of the leftover Johnson programs to finally abandon altogether, which to keep and even reinvigorate, and which to redirect.

The task force should be forewarned that it will have to hack its way through a jungle of numbers and bog down occasionally in a swamp of jargon. At times the authors appear to assume that everyone understands the obscure "Washingtonese" terms in which government programs are discussed by technicians in the nation's capital, and even some of the numbers count things that are not clearly defined. While some passages are eloquent, others have all the stylistic grace of the *Government Manual.* And some of the essential points are made too many times.

But for the reader who works through to the end, the message does come across,

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with impressive documentation and argument: the Great Society *did* succeed in lifting millions of people out of poverty, in narrowing the gap between blacks and whites, in improving the levels of health and education and housing. Sure, there was inefficiency, but that is true in the start-up phase of any complex new undertaking, whether in the public or the private sector. Much of the waste has been eliminated as experience has grown, and more can be. Institutional change was bound to create controversy and disruption, but that is mostly beneficial. In the end, people who needed help received it, and the poor were far better off in 1970 than they were in 1965. And if some did not benefit from costly programs like the Job Corps, "Is an effort unwarranted if it only helps one or two of ten participants. . . ? Some may consider success of a small number worth the expense" (p. 146). Liberals who now reject the ideals of the Great Society because programs sometimes fall short are the victims of overpromises; they should lower their expectations and redouble their efforts. Conservatives who fail to acknowledge its very real successes are the victims of ideology and of myopia.

For liberals and conservatives alike, this book performs a large and timely public service simply by assembling in one place a wealth of factual information, analyzing the pertinent census data, and summarizing the findings of many independent evaluation studies. The facts alone make it indispensable as a source book for students of social policy. If one happens to agree with the authors' arguments and conclusions, that makes it refreshing and enjoyable as well.

JAMES L. SUNDQUIST
The Brookings Institution

The Changing American Voter *by Norman H. Nie, Sidney Verba, and John R. Petrocik. Cambridge, Mass., Harvard University Press, 1976.—xx, 399 pp. Cloth, $15.00; paper, $5.95.*

This book presents a clear and intelligent analysis of the major developments that have occurred in the American electorate since the 1950s and as such is an important contribution to our understanding of contemporary American politics. Based primarily on the series of national election studies conducted by the Survey Research Center (SRC) and Center for Political Studies of the University of Michigan and two surveys from the National Opinion Research Center at the University of Chicago, the book documents very thoroughly the decline in partisanship, the rise in issue consistency and issue voting, and the change in issue attitudes among each party's support coalition since the 1950s.

The Changing American Voter is substantively and methodologically innovative. Particularly impressive is the use of survey data to yield insights about the New Deal realignment. Chapter 5, "Generation, Partisan Shift, and Realignment," by Kristi Andersen convincingly demonstrates that the New Deal realignment came about because of the influx into the electorate of new voters (both youth and former nonparticipants) who were heavily Democratic, and not because of the widespread conversion of Republicans to Democrats. The authors focus on political generations

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throughout the book and are careful to isolate changes due to generational replacement from those due to individual level change. For example, the authors report that between the 1950s and 1970s upper status northern Protestants collectively became more liberal. However, the increased liberalism of this group was due to the entry into the electorate of the post-1960 age cohort; older members of the group actually became more conservative over time. The data analysis is generally an excellent example of carefully crafted empirical research. The techniques used are straightforward and appropriate with careful explanations provided of the various measures employed. The presentation of results is very clear, with some of the visual devices used being particularly helpful to the reader.

Despite the book's many achievements, it is not as satisfactory as it might be. One general problem is the insufficient attention it gives to other research in the field. Often the book reads as if many of the findings were genuinely new when in fact they had been reported in one form or another in other literature. While most of the other relevant works are given footnote citations, there is little explicit recognition and incorporation of the substance of their findings. For example, the discussion of issue consistency and issue voting virtually ignores Pomper's work, while the consideration of party coalitions gives scant attention to the work of Axelrod. The continuity of the book probably has been improved by not reporting in any depth the work of others; yet a better balance could have been reached to give proper recognition to the efforts of others and to avoid misleading impressions of discovery.

Some specific criticisms must be made of the otherwise sound analysis. The levels of conceptualization section is flawed by the use of the SRC master codes rather than analysis of the actual interview protocols as done by the authors. The two approaches yield very different results, which suggest that the findings reported by Nie et al. are not truly comparable to the earlier research. For example, using the master codes yields an increase of 18 percent between 1956 and 1968 in the proportion of ideologues in the electorate; examination of the actual interview responses yields an increase of only 3 percent. At a number of points, the text does not quite correspond to the data presented. Often the emphasis given to the striking differences between 1960 and 1972 fails to recognize that the 1956–1972 differences are not as substantial.

A general point of dissatisfaction is that the book does not sufficiently reflect the previously demonstrated talents of its authors. Too often it reads as if the authors were intent on simple reporting of data without supplying much accompanying interpretation and speculation. Given the topic, the book is remarkably nonpolitical. This probably reflects the thoughtful restraint of conscientious social scientists; the topic is such, however, that one wishes that the authors had been a bit more daring.

In conclusion, the book is appropriate for many different audiences and is well worth reading for the comprehensiveness of its portrait of the American electorate. Given the distinguished previous achievements of Nie, Verba, and Petrocik, however, it is somewhat disappointing, a judgment that certainly does not negate its important contribution.

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The Shadow Government: The Government's Multi-Billion-Dollar Giveaway of Its Decision-Making Powers to Private Management Consultants, "Experts," and Think Tanks *by Daniel Guttman and Barry Willner. New York, Pantheon Books, 1976.—xiv, 354 pp. $10.00.*

Changes in the operations of government often occur insensibly and without general notice being taken until they have become entrenched and of large scale. This was true, for example, with the development of the general budget and with the growth of the Executive Office of the president. It may also be true of the development of the government's practice of allotting to private contractors the power to study and make decisions on important matters. This is the theme of a new book by a two-man team sponsored by the Center for the Study of Responsive Law. Despite the sensation-suggesting subtitle, the work is carefully written and has an abundance of factual detail. It deserves very serious attention.

The practice of governmental contracting for goods and services is, of course, as old as the Republic. Moreover, it bears the reputation of being the most efficient and economical way of doing things, since—as general opinion has it—government itself can do nothing well or at reasonable cost. The abundant evidence presented by Guttman and Willner, however, shows that the use of consultants to make studies and recommendations on policy questions in a wide variety of areas—defense, transportation, health, welfare, etc.—has resulted, as Ralph Nader says in his introduction, in "vast waste pyramided upon waste and colossal incompetence and self-serving" on the part of the consultants (p. xiv). This waste and incompetence is the major preoccupation of the book. Instance after instance is told and documented. Studies and reports have been commissioned by different governmental agencies and the consultants, well-known firms and organizations such as Arthur D. Little, Booz Allen and Hamilton, Westinghouse, Boeing, and Stanford Research Institute, have reaped fees sometimes in the million dollar range. And often the product has been banal, trivial, or even so embarrassing in its incompetence that the reports have been buried. The recurrence of this theme suggests that the heavy reliance on consultants may be an important part of the explanation for the ineffectiveness of federal programs and the concomitant disillusionment with government. This, however, is not a point made in the book.

The scale of federal expenditure on contractors is the most startling thing contained in the book: according to the authors it is one-third of the administrative budget, while only slightly more than one-fifth is spent on full-time government employees. This accounts for the paradox that while federal governmental employment has been relatively constant, the cost of government has risen rapidly. The reasons for this development are not entirely a matter of commitment to the ideology of private enterprise. They derive also from the mystique of high technology, "systems" thinking, and the highly inflated puffery of management "science."

More important, the resort to the use of consultants comes from the bureaucratic desire to avoid responsibility by hiding behind the objectivity of supposed outside "experts." The issue of responsibility is actually the most significant problem posed here, although it bulks smaller in the book than the more easily documented issue of waste. The authors do discuss, albeit briefly, the evil of delegation to private firms and

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institutes of effectual decision making on public policy questions, but this is plainly not their preoccupation. Perhaps the justification would be that in their general incompetence, the private consultants have little real impact on the decisions that emerge. This may often be true, but it would be a mistake for anyone concerned with the integrity of democratic government to assume that the consultants have no effect other than to squander public resources. The pattern is plainly one of irresponsible government.

GRANT MCCONNELL
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The Role of the Supreme Court in American Government *by Archibald Cox. New York, Oxford University Press, 1976.—vii, 118 pp. $6.95.*

Whether All Souls College invited Archibald Cox to deliver the Chichele Lectures at Oxford last year because of his eminence as a teacher-scholar, or because of his prominent role in helping to depose a corrupt American president, may never be known. But no matter. The choice was a wise one, for Cox was encouraged, as he says in the preface to this slim but weighty volume, to organize his thoughts. The result of that organization consists of four formal lectures (presented in the book as five chapters) that make up a succinct and sensitive treatment of the Supreme Court's role—historically and currently—in the American system. Carefully woven into an analytical narrative are two themes, one expository, the other probative. The former delineates the kinds of problems the Supreme Court has faced over the years; the latter questions the extent to which the Court should resolve hard issues of public policy. Although both areas have received extended treatment over the past two centuries, Cox's narrative contains a fresh and thoughtful quality that makes for worthwhile reading whether one's knowledge of matters judicial can be characterized as highly sophisticated or minimally familiar.

The author as historian grounds judicial supremacy first in necessity, second in habit, and third in the natural law tradition, the latter being somewhat out of vogue given the relativism and positivism of modern sociology. But he suggests that the root of the nagging problem of defining the Supreme Court's proper role lies in the logically inconsistent commitments to natural law on the one hand and to majority rule on the other. Yes, an insoluble dilemma, yet one with which we can live. As Cox maintains, "The Court's persistent resort to notions of substantive due process for almost a century attests the strength of our natural law inheritance in constitutional adjudication, and I think it unwise as well as hopeless to resist it" (p. 113).

Cox has the instincts of a political liberal but the training of a judicial conservative, and his inner struggles coalesce in apparent contradictions. He believes that the new rules of constitutional law promulgated by the Warren Court relative to civil liberty, to equality, and to criminal justice are "wiser and fairer than the rules they replace," *but* in appraising them as judicial standards he finds it "necessary to ask whether an excessive price was paid by enlarging the sphere and changing the nature of constitu-

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tional adjudication" (p. 102). Similarly, as Cox analyzes three issues to exemplify the contemporary changes in the nature of constitutional litigation—freedom of speech, the right of privacy, and the promotion of equality—he manifests an inner conflict. Discussing the case of *Rosenfeld* v. *New Jersey*, 408 U.S. 901 (1972), in which the defendant, in a public school board meeting attended by women and children, described teachers, board members, the town and the nation as M——— F———, Cox suggests that perhaps, "no other words would have quite served the purpose" of "jarring the white middle class out of its inbred assumptions" (p. 47). Yet in the next paragraph he wonders whether the Court, "in extending the protection of the First Amendment to sheer vulgarity . . . does not give the vulgarities an imprimatur which contributes to the lowering of public discourse" (pp. 47–48).

While approving the result of the desegregation decisions beginning with *Brown* in 1954, Cox nevertheless suggests that the Court took on "altogether novel and overwhelming tasks in the name of 'constitutional adjudication' that subject the institution to strains never before experienced" (p. 86), and that a brand new situation now exists whereby judicial decrees "directly regulate the lives of millions of people without voice in the decision" (p. 87).

In the end Cox's sense of order, his concern for legitimacy and for the moral responsibilities of a people who are supposed to govern themselves triumphs over the liberal ideology. He condemns the school of modern political scientists and the jargon of sociology which see the Court as simply another political agency that should consciously build a coalition of interest groups. The Court must be, and is, different, says Cox, for "its decisions are legitimate only when it seeks to dissociate itself from individual or group interests, and to judge by disinterested and more objective standards" (pp. 108–109). But when should the Supreme Court enter the "political thicket"? Clearly, only when a "change is impelled by one of the deeper lasting currents of human thought that give direction to the law." Otherwise a "clear-cut line of precedents, not shown to be logically inconsistent with a wider body of constitutional decisions" should prevail (p. 111).

This is a thoughtful book by a wise man whose commitment to social reform, to humane treatment of fellow humans confronts the necessity of order, of authority, of legitimacy, of system, of rules. He mirrors those concerns that should be in constant tension for any decent, thinking citizen. He also sees clearly the necessity of choice, the complexities in selecting alternatives, and the critical and essential role played by the Supreme Court as it attempts—so far successfully—to hold the American political system in a stable pattern even when almost overwhelming forces are pressing toward disintegration. Whether intentional or not, the book has an implicit message: it enjoins each of us to be Aristotle's "good citizen," and Cox paints the way.

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The Wall of Separation: The Constitutional Politics of Church and State *by Frank J. Sorauf. Princeton, N.J., Princeton University Press, 1976.—xii, 394 pp. $15.00.*

The Wall of Separation is an excellent contribution to the specialized literature on interest groups in the judicial process. It will take its place along with Clement Vose's *Caucasians Only* as one of the classics of the subfield. It is a powerful rebuttal to the arguments of skeptics who have suggested that the extent of interest groups involvement in Supreme Court "case-making" has been overstated. Sorauf's subject is the management of sixty-seven appellate cases dealing with the interpretation of the establishment clause of the First Amendment, and he treats it with considerable elegance.

After a rather thin chapter on the "legal and religious context" within which establishment-clause cases arise, Sorauf moves on to describe the separationist groups. He explains who litigates what, and how. The often contrasting goals and strategies of litigation are discussed, and there is a chapter answering the question "who are the plaintiffs?"

The "accommodationist defendants" are then described, followed by a perceptive chapter on the behavior of the judges (and justices) in the sixty-seven case sample. Particularly sensitive is Sorauf's separation of cases involving *schools* from nonschool establishment cases for purposes of assessing judicial response.

Finally, Sorauf discusses the differing dynamics of "friendly" and "nonfriendly" cases, and looks at the impacts of decisions—both immediate (situational), and longer-range effects on constitutional law and public policy. The concluding chapter on the "changing shape of litigation" suggests, briefly but sensibly, that group advocacy tends to accelerate the pace of constitutional change. The treatment throughout is controlled, low key, and very careful.

Yet it is precisely this aspect of the book as a highly disciplined exercise in political science which limits its general intellectual interest. Sorauf provides rich and well-arranged evidence on the extent and differing styles of group involvement in our management of church-state cases, but finally the question must be asked: What is the significance of all this? As one whose minor efforts at investigating church-state groups have been to some extent validated by Sorauf's major effort, this reviewer was fascinated; but beyond the small fraternity of specialists, why should anyone care?

The book is, as the jacket blurb suggests "the definitive study of the subject . . . ," but it is a very limited subject. Civil rights groups or environmental quality groups, for instance, may face different problems and litigate in different ways than groups in the church-state arena.

Nor is the book, as its subtitle asserts, a study in constitutional politics. There is no treatment, for instance, of the doctrinal tension between the free-exercise clause and the establishment clause, an important element in the continuing conflict over the Court's interpretation of the religion clauses. There is no systematic attention paid to the ways in which the Supreme Court decisions feed back into the legislative and administrative processes, and only in the instance of *Flast* v. *Cohen* is there any consideration of the Supreme Court "taking account" of congressional developments. One gets no sense of the extent of the shifting social interests involved, or of the depth and

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staying power of the passions evoked by church-state issues. The author has, to put it bluntly, squeezed the life out of an important area of public policy conflict which happens to have a constitutional dimension.

The quarrel, then, ultimately is not with Sorauf's well-crafted book, but with his choice of subject, and beyond that, with the disciplinary socialization which often encourages us to prize rigor over relevance. The question, suggested in the last chapter, of interest groups forcing the pace of constitutional change is a fascinating one, with implications for the larger debate over judicial activism. No one is better fitted to follow this up than Sorauf, and it may be hoped that this is only his first word on interest groups and litigation.

RICHARD E. MORGAN
Bowdoin College

Simple Justice: The History of *Brown* v. *Board of Education* and Black America's Struggle for Equality *by Richard Kluger. New York, Alfred A. Knopf, 1976.— x, 823 pp. $15.95.*

Simple Justice is now, and may remain, the most extensive review of the events leading up to the landmark *Brown* v. *Board of Education* decision. Paying meticulous attention to detail, Kluger takes a broad-gauge approach to recounting the history of the school desegregation struggle. From *Simple Justice* we get an idea of the complexities faced by civil rights attorneys in challenging *Plessy* v. *Ferguson*. Drawing on interviews, court transcripts, and letters, Kluger recreates sessions at which civil rights lawyers and their expert witnesses planned strategy for trials and appeal. He also tries to describe the ratiocination of the judges deciding the cases; and, relying on fragmentary notes of two justices, Kluger tries to piece together the discussions among the members of the Supreme Court when *Brown* was before them.

Kluger's approach is so encompassing that while school desegregation is the dominant concern, the book is in many ways a history of blacks since the founding of the Republic. As background, information is presented on the Constitutional Convention, Reconstruction, the DuBois-Washington split among black intellectuals, early Supreme Court decisions on civil rights cases and numerous other matters tangential to school desegregation. It is only after hundreds of pages of describing how American blacks reached their position in a segregated society that Kluger conducts an all-inclusive analysis of the events, strategy, and personnel involved in the struggle that culminated in *Brown*.

In chronicling the making of civil rights history, Kluger combines two literary styles. The multitude of characters and the broad national stage on which they move are reminiscent of Tolstoy. The detailed character sketches of lawyers, plaintiffs, judges, and witnesses who played roles in defining the rights of blacks to attend white schools and the descriptions of the communities in which the important cases arose bear similarities to Michener.

The book appears to be finding a market among both academics and the general

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reading public. Both groups, even including the academic specialist in civil rights, will come away with a better understanding of the gradual process through which the separate but equal doctrine was challenged, eroded, and finally overturned. The book's thoroughness may, however, be a drawback for many potential readers. Despite being well written, Kluger's effort to bring in so many details about judicial strategy, participants' family backgrounds, etc., will bore some readers, as will the digressions into civil rights cases other than those involving schools. Undoubtedly an abridged edition focusing just on school desegregation would result in large numbers of people actually taking the book off the rainy-day shelf and reading it.

There are a couple of other features which may reduce the attractiveness of the book for political scientists. One is the incomplete job of documentation. While the author did extensive research during the seven years he spent writing it, he does not use footnotes and the material presented on sources often does not permit the reader to determine the origin of a quote, interpretation, or bit of information. A second weakness is that scant attention is paid to events after *Brown*. Kluger apparently believes in what Stuart Scheingold calls the "myth of rights" (in *The Politics of Rights*, New Haven, Conn., 1975), and thus largely ignores the fact that by itself *Brown* changed very little. While undeniably important in setting a new course, recent research on compliance has demonstrated that without numerous protests, hundreds of suits, and years of administrative actions, the South's massive resistance response would have succeeded in reducing *Brown* to a largely symbolic victory.

CHARLES S. BULLOCK III
University of Houston

Affirmative Discrimination: Ethnic Inequality and Public Policy *by Nathan Glazer. New York, Basic Books, 1975.—vii, 248 pp. $10.95.*

There is currently much concern about a retreat from the strong affirmation of our egalitarian values in the 1960s. It is being alleged by some that we are turning our backs on the plight of the disadvantaged in our society, while others argue that what is being repudiated is the mode chosen to implement the realization of egalitarian values, but not the values themselves. Indeed, in Nathan Glazer's *Affirmative Discrimination*, the argument is made that the process of implementation seriously threatens the basic structure of American society. We are very fortunate that Glazer has written this book: he argues exceedingly well, and though ultimately his book is not convincing, the challenge it presents could be fruitful.

Glazer believes that it is an essential and valuable characteristic of American society that ethnic groups are given no formal recognition or political status, although there is no restriction on their voluntary self-maintenance. He believes also, and deeply, that there should be no discrimination in this society. But if efforts to prevent discrimination or to compensate the members of particular groups for the consequences of past discrimination require the establishment of legal ethnic statuses, he would denounce

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these efforts as being worse than the evils they are intended to cure. It is, however, worth noting his one concession: "For me, no consideration of principle—such as that merit should be rewarded, or that governmental programs should not discriminate on grounds of race or ethnic group—would stand in the way of a program of preferential hiring if it made some substantial progress in reducing the severe problems of the low-income black population of the inner cities." But since he has doubts that the inner city blacks will be helped, he reaffirms his objection to any policy that results in "the creation of fixed ethnic-racial categories, the danger of freezing them, and the danger of their spreading" (p. 73). At another point, he says that these new policies of "affirmative discriminiation," unlike earlier ones that neither encouraged nor discouraged group identification, "emphasize rigid lines of division between ethnic groups and make the ethnic characteristic of individuals . . . primary for their personal fate" (p. 70).

The pervasive damage that is now being done to the integrity of American society in the name of the rights of ethnic and racial groups results, in Glazer's view, from the use of statistical tests of discrimination and of good-faith efforts to prevent discrimination. These statistical tests are being applied in the areas of employment, of the integration of schools, and of housing; they lead to quotas in hiring, to busing as a remedy for de facto segregation in schools, and to efforts to mandate residential redistribution. In the case of each, Glazer's objections are twofold: statistical tests are bad in principle, because they undermine important values such as individual merit, free parental choice, the basing of residential decisions on income; but statistical approaches are bad also because they do not work.

His combination of arguments on principle and on pragmatic grounds is disturbing, since it is not clear what relative weight he attaches to each. As for his arguments on pragmatic grounds, they present two difficulties. First, it is not easy to assess the evidence Glazer produces for the ineffectiveness of affirmative action in hiring, of busing, and of residential redistribution; he cites a good many studies that support his case and tends to ignore those that do not. Second, his pragmatic arguments are unconvincing because it is possible to conceive of a sophisticated enough use of statistics and a more effective mode of value implementation that would produce a more satisfactory accommodation of the values of merit and social cohesion and freedom, on the one hand, and equality, on the other.

The book raises important questions and does this well, but the answers offered are not good enough. It is not enough to preach the expansion of freedom, when those whose freedom is being expanded differ greatly in wealth and power; it is not enough to point out that almost everyone needs compensation for some disadvantage, and not to wrestle with the difficult problem of degrees and kinds of disadvantage; it is not enough to preach universalism and to ignore the fact that there has always been a great deal of particularism, benefiting different groups than those now claiming particularistic rewards; it is not enough to denounce statistical tests, if it is not possible to suggest better indicators. Most important, perhaps, it will not do to extrapolate from the process of compensation for past injustice only the worst possible ultimate results, neglecting the desirable results that have already occurred and that will act as correctives to the whole process. Glazer's conception of the desirable "normal" course of

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events is quite a conservative one: leave them alone and they'll come home, wagging their tails behind them. There are good reasons to think the contrary—that those lost sheep will never make it on their own. Most of those who will read this book run a bit of risk: they are likely to be among those who do not have much to fear from the normal course of events, and they risk being persuaded by Glazer's well-constructed arguments that they should not tamper with it. They should risk the temptation—and resist it.

ELINOR G. BARBER
The Ford Foundation

The Power to Probe: A Study of Congressional Investigations *by James Hamilton. New York, Random House, 1976.—xvi, 334 pp. $12.50.*

James Hamilton, who served throughout the Watergate hearings as assistant chief counsel to Senator Ervin's Select Committee on Presidential Campaign Activities, has added a significant volume to the growing number of general and specialized studies of congressional investigations. It is no disparagement of this useful study to say that it hardly justifies the extravagant praise in Senator Ervin's introduction as "the most recent, the most complete, and the most authoritative study of congressional investigations" (p. xii). Recent and authoritative it is, but complete it is not. It is not a general study comparable to Telford Taylor's *Grand Inquest: The Story of Congressional Investigations* (New York, 1955) or Alan Barth's *Government by Investigation* (New York, 1955), nor was it intended to be. It is primarily a thorough study of the law pertaining to congressional investigations and is filled with discussions of decisions by the Supreme Court and the inferior federal courts, statutes, and House and Senate rules. In this respect, it should be a most useful guide to congressional investigative committees, their legal counsel, and counsel for witnesses appearing before congressional committees. It provides a useful balance between the interests of Congress in obtaining information and the rights of persons who come before such committees as witnesses.

An important focus of the study is upon the tribulations of the Ervin committee in extracting testimony from reluctant witnesses, its futile efforts to obtain court orders to compel testimony, and its torturous negotiations with Richard M. Nixon to obtain his celebrated tapes and the testimony of his subordinates. Here again much of the emphasis is upon law and procedure, with occasional references to past congressional investigations. The study is not and was not intended to be an account of the high melodrama and sometimes low comedy of the Ervin investigation, but occasionally it is enlivened by references to episodes like that of Charles Colson, near tears, pleading the privilege against self-incrimination before a private executive session (p. 218), and a full chapter on leaks from the committee (pp. 273–301) which reached the proportions of a flood. Some of these leaks emanated from senators, some from staff members, and some undoubtedly from self-serving White House functionaries in an effort to embarrass the committee. Regardless of the source, they demonstrate that government by leak is an integral element of the political process in Washington.

Despite the failure of the Ervin committee to win favorable judicial decisions to

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compel the surrender of the presidential tapes, Hamilton places the heaviest reliance upon judicial resolution of congressional-presidential conflicts over access to testimony and papers. Although Congress has political sanctions it may impose upon a recalcitrant executive, such as defeating the passage of a bill which is desired by the president, denying appropriations, and conducting additional investigations, such approaches may or may not work and are not suitable to the task. Ultimately, recourse may be had to impeachment, but "this is a remedy that is not lightly pursued, one that is hardly practical to resolve normal disputes between legislature and executive" (pp. 197–198). Similarly, dispatching a sergeant-at-arms to arrest a president in a contempt proceeding is dismissed as futile and unseemly. For all these reasons Hamilton prefers civil actions with the opportunity to explore fully constitutional issues and fashion relief as being most efficacious. He may be right, but reliance upon the federal judiciary to resolve such issues is difficult when the courts are already burdened with administering prisons in Alabama and schools in Boston, not to mention the determination of all kinds of policy issues once settled by the political branches of government, or not settled at all.

The constitutional law pertaining to the power of Congress to investigate is at best murky as reflected by Supreme Court decisions, dissenting opinions, and inferior court decisions. Some assert a very broad scope; others in *obiter dicta* suggest the contrary. The lower court decisions involving the Ervin committee certainly suggest that the power of a congressional committee to obtain information in the performance of its law-making or informing functions is not coextensive with the right of a grand jury to similar information in a criminal proceeding which the Supreme Court has since ruled takes priority over generalized claims of executive privilege. Certainly Hamilton is correct in distinguishing between investigations by the House of Representatives in impeachment proceedings and other investigations where the claims for information in the former take priority over all others. Certainly, too, he has made a useful contribution to the law of congressional investigations.

Robert J. Harris
University of Virginia

The Democrats: The Years After FDR *by Herbert S. Parmet. New York, Macmillan Publishing Co., Inc., 1976.—xi, 371 pp. $12.95.*

From the death of Franklin Roosevelt on April 12, 1945, up to the present day, the United States has experienced extraordinary political change. Much of this change has expressed itself within and through the Democratic party as the majority coalition.

Herbert S. Parmet set for himself, then, a large and important, yet difficult task in writing a history of the Democrats since Roosevelt. He has had to interpret three tumultuous decades in the social and political life of this nation.

There is much to be said for the results of his effort. *The Democrats* is smoothly written, nicely crafted. It moves easily across a highly variegated landscape. The book shows balance and fairness. And it is testimony to careful research.

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Still, for all its strengths, the book is disappointing. It has confronted its complex subject without theme or analytic approach able to wring new insights. The historian who attends to a single action or event can sometimes, through extensive archival research, bring forth new facts and cast the event in new light. But the historian writing about so large a subject as the last thirty years of American political history must look to a kind of conceptual breakthrough. Others will already have better, more thoroughly, described individual episodes. Not only does the book fail to provide some new organization of its subject, it does not even try.

What we have, then, is a conventional rendering of familiar party happenings. It is once over lightly for Harry Truman and Henry Wallace, Adlai Stevenson and Estes Kefauver, John Kennedy and Lyndon Johnson, Hubert Humphrey and George McGovern. The key actors are there, all right, and their struggles are faithfully described, but we are not pointed toward any new understanding. (There are, it should be noted, a few exceptions even to the general care and factual accuracy of *The Democrats*. One of the most unfortunate appears on p. 202 when the author describes the impact of Sam Rayburn's death in 1961: "Rayburn's successor was Mike Mansfield, an Idaho senator of impeccable integrity . . . but, withal, inexperienced. . . . " The paragraph goes on, compounding this bizarre string of errors, by showing Mansfield struggling with Wilbur Mills over the fate of the Kennedy Medicare program.)

The country which the Democrats seek to represent has changed in so many ways since the days of Roosevelt. These sweeping social transformations are scarcely noted, even though they have so greatly altered the party. Major changes have occurred in party structure over the last three decades. Parmet hardly acknowledges these. The ideological "world views" of the Democrats collectively and of their principal factions are only casually examined. Readers who want a "name and date" history will be satisfied by the book; others may not be.

As a footnote, I observe that Parmet unintentionally makes a telling comment on 1976 Democratic presidential politics. James Earl Carter, the party's standard bearer, is not once mentioned in this modern history of the party published in early 1976.

EVERETT CARLL LADD, JR.
University of Connecticut

Presidential Style: Some Giants and a Pygmy in the White House *by Samuel Rosenman and Dorothy Rosenman. New York, Harper & Row, 1976.—xx, 602 pp. $16.95.*

This book consists of five historical case studies of twentieth-century presidents. The presidents whose lives and administrations are chosen for analysis are Theodore Roosevelt, Woodrow Wilson, Franklin Roosevelt, Harry Truman, and Warren Harding. The aim of the authors, however, is not to present and explain events. It is rather to bring history to bear to analyze the style of both "giants" and "pygmies" in the White House. The book, thus, is intended as a study of the art of being a great or successful president.

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As such, this study has both substantial merits and substantial defects. Conceptually, the authors have little to contribute. They correctly perceive that style pertains to the mode or manner of operation rather than to the substance or content of what is produced. Having recognized this, they are quite content to proceed without further consideration or elaboration of the term. Yet, the analysis of style must rest on more than vague and general conceptualization, if the various aspects or dimensions of this complex and elusive variable are to be identified, interrelated, and distinguished from other variables that affect presidential power. Similarly, careful and detailed conceptualization is necessary if the connections between aspects of style and other determinants of presidential power are to be explored in a fruitful or beneficial manner. Nor is the authors' failure to develop a framework for approaching or treating style their only serious theoretical weakness. Their conception of presidential greatness also bears the marks of inadequate consideration and elaboration. It is, however, quite in line with conventional scholarly wisdom. Presidential greatness thus is equated with the ability of a president to work his will and the problems in such an approach are masked by choosing as examples of great presidents men whose objectives the authors and most scholars approve.

The costs of sidestepping these two key theoretical problems are great. Without a sophisticated analytical framework, the authors cannot in fact subordinate history to the analysis of style. Rather, the rendition of events becomes defining and controlling, and the analysis of style secondary, haphazard, and at times even quite labored. Similarly, armed with only a global conception of style, the authors lack guidelines for disciplining and organizing their thoughts and conclusions. Virtually everything of relevance to presidential power becomes a matter of style. Indeed, the term is used so comprehensively and so elastically that it verges on becoming a label or catchword rather than an analytical tool. Such a welter of vague and diverse meanings and applications, in turn, severely limits the scope and power of the authors' analysis. Salient differences in the style of great as opposed to weak presidents are distinguished in only highly general and already quite familiar ways; conclusions regarding the character and significance of differences in style among great presidents are difficult to draw; and glaring contradictions in the personality and behavior of presidents, such as Theodore Roosevelt and Woodrow Wilson, remained unresolved. Finally, insofar as the study has relevance for an assessment of the presidency in the America of the 1970s what the authors provide is merely a panegyric to the strong, activist president who dominates the politics of the nation by skillfully combining the qualities of the lion and the fox and is assumed to function as the steward of the public interest. Need it be said that this is far too simple and optimistic a view in the light of recent events and the probable long-run consequences of according the president the status and responsibilities of Platonic guardian of our national well-being.

And yet, despite these defects, this book is well worth reading. If the authors manifest certain theoretical weaknesses, they do possess two qualities that are critical to an understanding of politics and not necessarily present in academic literature: practical wisdom and firsthand experience. Thus, if this study is weak conceptually, it is strong substantively. The portraits of presidents as persons are well drawn, though

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in the case of Franklin Roosevelt overly defensive on the question of his deviousness. The reader accordingly emerges with a firm sense of these men as human beings and of the impact of their personal strengths, weaknesses, and idiosyncracies on their behavior. Equally important, if the basic terms of analysis are quite general and even somewhat pedestrian, the concrete illustrative material is often superb. This is especially true of the studies of the two Roosevelts and their skills, strategies, and tactics in using the media, campaigning for election, bending the Congress to their will, and running the executive branch. Moreover, portions of these two studies tie down and illustrate key developments in the emergence of the modern presidency. In conclusion, then, though the authors are more conquered by than conquerors of the case study approach, their book represents both a useful addition to the political history of the presidency and an insightful study of what presidential leadership entails in terms of concrete skills and stratagems.

JOSEPH COOPER
Rice University

The Radical Center: Middle Americans and the Politics of Alienation *by Donald I. Warren. Notre Dame, Ind., University of Notre Dame Press, 1976.—xxiv, 260 pp. Cloth, $12.95, paper, $4.95.*

The political alienation of Middle America is intrinsically an interesting subject for research. Unfortunately, interrelated weaknesses pervade this book and minimize its contribution to an understanding of the problem. It is frequently carelessly written and edited; also, accepted definitions of Middle America are changed but the author never clearly identifies his "Middle American Radicals" (MARs). They come from every economic and social segment of white Americans. (He interviewed nonwhites but did not include them in his analysis.) MARs worry about "*multiple threats of being caught in the middle between those whose wealth gives them access to power and those whose militant organization . . . gains special treatment from the government* . . ." (p. 14).

The author says, "To construct the basis for defining who is a MAR, a total of 36 different questions from the interview are utilized. From the various questions, a score of 0 to 53 could be obtained on the scale of MAR ideology (see Appendix for questions and scoring procedures)" (p. 14). Appendix B, "Questions Used to Construct the Middle American Radical Index" (pp. 246–253), however, seems to include only 32 questions and provides no "scoring procedures."

Nevertheless, persons who scored 29 or more on the scale were in the top quartile of respondents and were classified as MARs. Of the 496 persons thus subjectively classified, 46 percent come from the socioeconomic middle class, 28 percent from the poor, 13 percent from affluents, 8 percent from the middle class but with high educations, and 5 percent from those whose "income information [was] not ascertained" (p. 16).

Table 5 provides the "Essence of Middle American Ideology" as illustrated by MAR

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responses to the statement that "the rich give in to the demands of the poor and the middle income people have to pay the bill" (p. 21). Ninety percent of the MARs agreed, but then so did smaller majorities of those with views on the issue from every other category of respondents. Frequently on important issues only a few percentage points separate the level of MAR acceptance from that of other respondents.

"The MAR response [to the above question] is a dramatic expression of the distinctive alienation felt by an entire segment of our society. The recent busing dispute in Boston provides illustration and validation for the portrait which emerged from our 1972 survey. It predicted the *class conflict* endemic to the Boston controversy . . ." (pp. 21–22, italics added). The author does not explain why any except the middle-class component of MARs should be alienated by an alliance of the rich and poor, or how he could tell MARs from other Boston demonstrators, or what makes the event a "class conflict" when MARs come from all classes.

The book ends with the statement that "unless bridges are formed and policy adjustments are made, the MAR perspective may grow to the point where it begins to pervade society and to affect the political and social fabric with possibly drastic consequences" (p. 223). The author offers evidence of a slight increase in the number of MARs but his worry seems to be based not so much on his research findings as on his independent view that the nation has become polarized over "social policy critical to the survival of democracy" (p. 216).

Finally, reading a book that is often carelessly put together is made no easier by the absence of an index.

HOWARD PENNIMAN
Georgetown University

Transformations of the American Party System: Political Coalitions from the the New Deal to the 1970s *by Everett Carll Ladd, Jr., with Charles D. Hadley. New York, W. W. Norton, 1975.—xxv, 371 pp. $12.50.*

> In every democratic polity, the makeup of party coalitions is derivative, owing in large part to social structure and social conflict. To know the composition of the major collectivities, and the manner in which they are divided by the ascendant disputes of the day is to know how, inevitably, the populace will come to distribute itself in electoral decisions. It is altogether natural, then, that changes in social structure and social conflict which define the emergence of the postindustrial era in the United States have dramatically altered the party coalitions (p. 226).

This, then, is a book about change, about the impact of a socioeconomic stage called postindustrialism whose defining features are still so vague that it can only be awkwardly named for the stage of history it has supplanted.

It is legitimate to question whether there is more to the concept of postindustrialism than vogue. The authors' definition tells us what the concept is about, but not precisely what it is:

> the postindustrial order centers decisively around the precipitants and consequences of several interrelated developments: affluence; advanced technological development; the cen-

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> tral importance of knowledge, national communication processes, the growing prominence and independence of the culture; new occupational structures, and with them new life styles and expectations, which is to say new social classes and new centers of power (p. 184).

Yet, despite our uncertainties as to whether our present socioeconomic order is different in kind from industrialism, Ladd and Hadley have read broadly in this emerging literature and are careful to note its limitations.

Interestingly, this book that is premised on the existence of a new social structure places its emphasis on incremental, secular political change rather than critical realignments. The authors believe that political scientists have been mesmerized by Key's concept of critical elections, so much so that we have ignored the ways in which gradual social trends create permanent political changes. For example, rising levels of education and income have made the Democratic party a middle-class party. Moreover, the political concerns of the educated affluent are now different. Where once the college educated was the most conservative stratum in both the Republican and the Democratic parties, it is now more supportive of egalitarian social policies than other educational groups.

Or so at least Ladd and Hadley argue on the strength of a large base of survey evidence from 1936 to 1974. Most of the data are from the Gallup Organization, supplemented with studies from the Survey Research Center, the National Opinion Research Center, the Louis Harris Political Data Center, the California Poll, Yalkelovich, Inc., and CBS. Much of the data analysis appears not in this volume but in a Sage Professional Paper by the same authors entitled *Political Parties and Political Issues: Patterns in Differentiation Since the New Deal* (1973). This paper should be read as a companion piece to the book, for inevitably one person's clear substantive finding is another's insignificant difference.

The emphasis on secular change rather than critical realignments permits some welcome alternatives to the standard arguments of whether we are in a period of party realignment, a period of continued Democratic dominance, or a stage of party disintegration. Ladd and Hadley suggest that the basis of involvement in partisan conflicts is changing. The motive forces are not only concerns about policy but about the process of politics as well. We have seen the last, the authors maintain, of "the kind of coherent and persisting attachments to parties which electorates of times past freely gave" (p. 335).

> As the current thrusts of [party] reform testify, what the ascendant professional classes want is not some strong party organizational structure able to barter, bargain, and dictate nominations, but open parties, porous electoral instruments which they can capture easily and use to advance favored candidates and the concern which at a given moment seems to be of the most compelling importance. The reforms of the McGovern-Fraser, Mikulski, and Sanford Commissions, and of the 1974 Kansas City miniconvention, carry a clear message from the professional classes to the party regulars, organized labor, and other old claimants: "We want a permeable party, responsive to the kind of free-lance intervention in which we excel" (pp. 335–336).

The argument, then, is distinctive among political scientists for its sympathetic view of the current party reform movement, and it implicitly challenges traditional notions about the functions of political parties and about the conflict commonly said to exist

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between intraparty democracy and organizational strength. Though many scholars will question the basic premise that economic change has made the Democratic electorate a middle-class, establishment party with diminished interest in working-class issues, the argument must assume a critical place in the debate on the future of American political parties.

RICHARD W. BOYD
Wesleyan University

Vigilante Politics *edited by H. Jon Rosenbaum and Peter C. Sederberg. Philadelphia, University of Pennsylvania Press, 1976.—x, 292 pp. $10.00.*

It is difficult to be fair to *Vigilante Politics*, since the book is an example of a particularly odious genre: the slapped together collection of largely unrelated scholarly essays on a currently fashionable topic. The editors' lead article ("Vigilantism: An Analysis of Establishment Violence") is intelligent and interesting, although admittedly limited to definitional and typological issues. The other essays, divided into sections on theory, domestic vigilantism, and foreign (or "comparative") vigilantism, are—with a few exceptions—unrelated, unremarkable, and unedited. The theoretical section is particularly weak; the two richest contributions, Richard Ned Lebow's "Vigilantism in Northern Ireland" and Richard Maxwell Brown's "The History of Vigilantism in America," are historical essays.

Rosenbaum and Sederberg's typology, clearly the best of the theoretical efforts, is a good example of the problems faced by political theory which attempts to divorce itself from a theory of history. The editors define vigilantism as "establishment violence . . . in violation of the formal boundaries of an established sociopolitical order which . . . [is] intended . . . to defend that order from some form of subversion" (p. 4). They describe three types of vigilantism: "crime-control" (for example, community patrols in high-crime urban areas), "social-group-control" (racist vigilantism is an example), and "regime-control" (e.g., the activities of secret army groups in nations like Argentina). So far, so good—but what we want to know, of course, is what causes vigilantism of any type to flourish or decline, whether there is a dialectical relationship between these types, whether there is a "solution" to the "problem," etc.

Rosenbaum and Sederberg do not necessarily intend to duck these issues, but they do, offering pallid generalities ("the potential for vigilantism varies positively with the intensity and scope of belief that a regime is ineffective . . . ," p. 7) in place of substantive answers. This happens because their theory is so *abstract* in Hegel's sense of the word—so unrelated to concrete movements in history—that all the difficult (and interesting) cases become "marginal." In the case of Allende's Chile, for example, the authors are unable to decide "just who were the vigilantes"—the workers and peasants seizing property, or the businessmen and soldiers preparing to seize the state.

This difficulty is instructive. For while the editors' sympathies clearly lie with the lower-class victims of right-wing vigilantism, their commitment to an apparently "neutral," ahistorical vocabulary of concepts makes it impossible for them to dis-

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tinguish revolutionary from counterrevolutionary violence. The use of analytic terms dissociated from class structure (e.g., "establishment," "dissident") generates what Marcuse called "one-dimensional thought." Neither editors nor contributors undertake to investigate the socioeconomic roots of vigilantism (the sole exception is Lebow's piece on Northern Ireland), with the result that the entire discussion remains, as it were, in the realm of ideas. What a pity, since we need all the concrete analysis of "establishment violence" we can get.

RICHARD E. LIBMAN-RUBENSTEIN
Roosevelt University

Economists at Bay: Why the Experts Will Never Solve Your Problems *by Robert Lekachman. New York, McGraw-Hill Book Company, 1976.—xii, 311 pp. $8.95.*

"Economists are no worse than other people," writes economist Robert Lekachman, "they have livings to earn, children to educate, mortgages to pay, and promotions to seek" (p. xi). And therein lies the rub. As the United States economy stumbles from 12 percent inflation to 9 percent unemployment (and, perhaps, back again) the nation's professional economists seem to have little to offer but irrelevant mathematical models, platitudes about consumer sovereignty, and $300-a-day consultant bills. How it all went to pieces, and why economics has strayed so far from the glorious traditions of Marx, Veblen, and Keynes is the theme of *Economists at Bay*. Whether we accept Lekachman's explanation, or his prescription for the profession's revival, is a matter for dispute. What is not a matter for dispute is that Lekachman has written a witty, intelligent, engaging tract—the best book about economists for noneconomists in many a year.

The basic complaint is simple. Solutions to economic problems require ethical and political judgment as well as technical expertise. Yet economists are ill equipped for such roles. Their training is in science—model building, engineering techniques for optimization, statistical inference. Ideological concerns do graduate students little good and may even hinder them in their apprenticeships. Once they enter the professional world, incentives are equally perverse. Many of the brightest economists eschew reality completely, preferring the prestige and peer group rewards of arcane mathematical theory. Others do what they are told by the people who pay their salaries: predicting the demand for steel or the price of steel stocks, estimating the employment effects of tax cuts, advising foreign despots on how to increase exports.

The prescription for professional revival is equally simple. Economics must discard its self-serving image as objective science and get back in the fight. In Lekachman's view, all great economists are political economists—people with both insight on how the system works and strong opinions about how it ought to work. John Maynard Keynes is the prime example, an economist who began his career with a powerful critique of the Treaty of Versailles as immoral and unworkable and ended it with a sophisticated plan to restructure the international financial system within the goals of

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the United Nations charter. As a practical matter, the revival of political economy would require greater ideological tolerance from the senior members of the profession, less emphasis on technique in graduate schools and more emphasis on identifying important policy issues. Lekachman is not pessimistic. He cites the work of mavericks such as John Kenneth Galbraith, Robert Gordon, and Wassily Leontieff who question the vision of economic science. Lekachman also points to new interest in Marxian economics and dissatisfaction with business-as-usual on the part of the Union for Radical Political Economy members.

How much of the message ought we accept? Unquestionably economics has delivered a lot less than it promised in the past decades and few economists can be credited with focusing on political or ethical issues. This failure in absolute terms does not necessarily mean that the profession is in decline. Not all highly skilled technical economists avoid public policy debates; one need only glance at the work of Frederick Scherer, Lester Thurow, James Tobin, William Nordhaus, Milton Friedman, or Martin Feldstein for reassurance that political economy is alive. Lekachman may lament the mainstream political views of economists interested in policy questions, but it would be hard to substantiate the argument that these political economists are simply naive defenders of the status quo. Similarly, some scepticism about the potential contribution of the new Marxist political economists is in order. While technique cannot replace idealogy if economists are to have a positive impact on policy, it is hard to imagine that the next Keynes could not benefit from rigorous training.

SUSAN PREVIANT LEE
Barnard College

Social Control of the Welfare State *by Morris Janowitz. New York, Elsevier Scientific Publishing Co., 1976.—xxii, 170 pp. $9.95.*

This imaginative and stimulating discussion of some of the central dilemmas of the modern welfare state is a welcome contribution. Although it often only sketches issues that would have to be developed more fully to be entirely persuasive, the author has managed to cram a wealth of important ideas within the confines of a small volume.

Basically committed, both morally and philosophically, to the idea of the welfare state and its extension, Janowitz yet feels it necessary to indicate the many institutional and technical weaknesses that have attended its growth in recent decades. He points, for example, to the steady erosion, in the United States and elsewhere, of the economic resources needed to increase welfare benefits, and to the tensions that arise from escalating demands for social welfare in the face of inadequate increases in productivity or effective reductions in private consumption. While granting that some of these tensions arise from a fundamentally paradoxical system of accounting whereby expenditures for capital development are carried as assets in the private sector while expenditures for human and physical capital in the public sector are carried as liabilities, the author nevertheless insists that further extensions in welfare

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benefits require a fundamental recasting of economic and sociopolitical structures lest permanent stagflation erode the impact of present and future allocations. Clearly, when social welfare expenditures in the United States have increased from under $9,000 million in 1940 to over $200,000 million in 1973, and when total government spending exclusive of defense now absorbs roughly 32 percent of national income, it is obvious that further advances in welfare require basic structural changes. Without these, further extension of the welfare state will become counterproductive.

Far from limiting himself to the decline of economic surplus, the author discusses a variety of other issues, such as changes in the stratification system, the weakening of political regimes and the emergence of an ethic of hedonistic consumerism, which are connected with the rise of the welfare state. He shows, for example, that the format of conventional interest-group politics has been undermined by the welfare state. While it is true that the claims and expectations rooted in a person's occupation remain central, they are now crisscrossed by contradictory or competing pulls that arise out of claims for welfare benefits. It is much more difficult than in the past for a person to calculate rationally where his political interests lie. "A person's linkage to the mode of production . . . is (now) based both on his occupation and on the institutions of social welfare" (p. 83). This may help account for the decline of relatively stable class-based politics, and the increase of independent voters in recent decades, as well as for the strains in the functioning of electoral and parliamentary institutions in the recent period.

Janowitz concludes with a series of observations on the need to increase a welfare society's ability to deal with the problems he has outlined. Though somewhat vague in detail, one nevertheless gathers that he favors both large-scale planning efforts and increasing citizens' participation through self-regulation.

Space does not allow me to even indicate the many areas in which I differ from Janowitz; for example, his definition of the welfare state as any state that allocates "at least 8 to 10 percent of the gross national product to welfare" (p. 2) seems inadequate, since this definition would make Kuwait and Albania into welfare states. But my main object is to alert the reader that this work is indispensable for any social scientist concerned with our current predicaments, and especially for those among us who are committed to the idea of the welfare system and yet have begun to realize that spending is not enough.

LEWIS A. COSER
State University of New York
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The Quality of American Life: Perceptions, Evaluations, and Satisfactions *by Angus Campbell, Philip E. Converse, and Willard L. Rodgers. New York, Russell Sage Foundation, 1976.—xi, 583 pp. $15.00.*

Early in the twentieth century, economists began to collect masses of data about business cycles. Unfortunately, the causes of such cycles were beyond the grasp of then

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current theories. New data were continually gathered, while many economists spent the years during the boom of the 1920s, through the crash, and into the Great Depression attempting to analyze these cycles. Despite all this effort, the depression continued. In 1935 Keynes published his *General Theory*, which for the first time linked together in a theoretically coherent manner, the measurable entities of consumer demand, employment, investment, and output. From then on economic data and their analysis, whatever the drawbacks, could and often did have a direct bearing on public policy. Eventually in the United States, the pursuit of increasing output, as measured by the GNP, and full employment were declared national policy. A new body with high prestige at least for economists, the Council of Economic Advisors, was formed. An annual economic report was mandated to be issued to the president.

This book represents part of the reaction by behavioral scientists to the success and limitations of economic analysis. The so-called social indicator movement, and the countervailing concern for individual experience expressed by social psychologists and others is examined by this attempt to measure the satisfactions that individuals have with aspects of their lives. On the one hand, there is reasonable criticism of the pursuit of increased economic well-being as a proxy for national happiness and welfare. On the other, there are very grave difficulties in moving directly to "measure" the perceptions, evaluations, and satisfactions people experience in their lives. One cannot, however, dismiss the fact that increases in various indicators, such as the number of hospital beds, years of schooling, or automobiles, do not necessarily lead to a life of more quality—hence the emphasis on experienced satisfactions.

The authors present findings from a major interview study of the quality of life, so defined, for 2164 American adults. The sample is carefully drawn. The interview schedule was designed and administered by the Institute for Social Research in Ann Arbor, Mich. The very care and quality of this undertaking points up the difficulties with measuring and accounting for the quality of people's lives. Problems abound. Many are admitted frankly, including the difficulty of interpreting a person's answers without knowing his standard of evaluation. Such standards will not be common for all the people in any nation, but will be rooted in prior experience.

The researchers define and analyze life domains and see how satisfaction in any particular domain is related to background characteristics and is associated with overall measures of satisfaction. Because of the extreme generality needed for such a wide-scale undertaking, one has a domain of family and marriage life without sexual activity, a domain of work without bosses, a domain of country without the institutions of government, a domain of neighborhood without schools. Indeed, most questions ask for various degrees of satisfaction on four-, five-, or seven-point scales. Some types of satisfactions do "predict" other types fairly well.

A very competent multivariate presentation of the interrelations of one type of contentment with another is presented. If this study were repeated at later times, changes in levels of satisfaction might become apparent. The authors discuss the relevance of their general survey of happiness: "it remains true that on balance over the population, it is exactly these intimate areas, such as marriage and the family, which receive the most positive expressions of satisfaction from the populace, while domains such

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as education and income, customary concerns of the state, are targets of the greatest relative dissatisfactions" (p. 498). Further, most people adapt, if they can, to the situation in which they find themselves and complain less than differences between their situation and those more favored would lead one to expect. Perhaps the truly discontent often refuse to participate in such a study.

This book points up the limitations of work in this area, while representing it at its best. From such efforts, one cannot glean what the effects of various policies on levels of satisfaction would be for the United States population. Behavioral scientists collect and analyze and accumulate data on social conditions, trends, levels of satisfaction and happiness, and other matters. We muse about the meaning of such information. But we continue to await our Keynes to produce the theory that will focus such efforts while giving them wide theoretical and substantive relevance. Until then, most likely, we shall be writing in vain for the formation of a Council of Social Advisors and the production of a meaningful annual social report.

ANDREW A. BEVERIDGE
Columbia University

Women in the Professions *edited by Laurily Keir Epstein. Lexington, Mass., D. C. Heath & Company, 1975.—142 pp. $16.00.*

This volume includes the eight papers, plus introduction, given at a two-day conference on the status of women in higher education and the professions under the joint auspices of Monticello College and Washington University at the latter institution in April 1975. Of the nine contributors, one was a lawyer, two were sociologists, two were economists, and four, including the editor, were political scientists. The book was not intended as a final statement but only as a background for understanding the issues.

Lawyer Roxane Barton Conlin has impeccable credentials for her topic: government policy toward women in employment, education, and marriage. She is assistant attorney general of Iowa in addition to being an activist in a variety of action organizations. She reviews the legislative and enforcement history of antidiscrimination legislation in employment and finds it adequate to explain why, despite a few notable successes such as the AT&T settlement, statistics show so little gain by women workers. She is not optimistic about having national policy as embodied in Title IX vigorously enforced at the local school level. Although she refers only incidentally to ERA she does review the major inequalities that women suffer from in the traditional chattel concept of marriage (property rights, domicile, business contracts, taxation). She concludes that "there is no coherent, consistent, enforceable public policy that requires women and men to be treated equally under the law" (p. 120). Neither the Supreme Court, Congress, nor state legislatures can be relied on for redress. Women must look to themselves to do the job of achieving equality.

Jewel L. Prestage, political science professor, reviews the research literature on the political participation of black women and suggests the implications for needed

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research: "need to explore the criteria necessary for 'effectiveness' "; "ambition theory"; role flexibility; concepts and techniques for defining women's political experience.

John J. Stucker, another political scientist, attempts to explain the slow response of women to political opportunity. Sheer logistics, race, and lack of role models explain the initial nonparticipation. Increases in participation were encouraged among white women by the New Deal and among black women by the 1965 Voting Rights Act. Regression away from the central arena is explained by the concentration on "women's issues" and on volunteerism. Civil rights work helped in the training of black women for political work. The author concludes that for increasing political participation by women "what is needed is the fundamental achievement of equality in career and income opportunities" (p. 112).

The third political scientist, Virginia Gray, ties up her discussion with population policy. Her goal is the achievement of lowered population growth and the benefiting of women. The feminist position is not to impose antinatalist policy but to lift pronatalist pressures. Policies that help women reconcile incompatible roles (by providing, e.g., child care) may increase labor force participation and reduce fertility, but policies that operate through motivation by improving the status of women are better. The conclusion is that "female status policies are effective in reducing population growth" (p. 77), thus achieving both of the policy goals originally specified.

Of the two sociologists, Cynthia Epstein deals perceptively with the impact of social structure on women's motivation, while James A. Sweet discusses the historical pattern of female employment in the United States, especially the demographic factors. Of the two economists, Juanita M. Kreps deals with one specific "labor market," namely academia, and Carolyn Shaw Bell writes of the future of women's status. Kreps emphasizes the differences in the young women taking the doctorate now and in the past and also the differences in institutions, past and present. Just as women increase in academia the market for personnel tends to decline. Bell reminds us that both labor force and home have to be dealt with together; they are intrinsically related as components in the overall division of labor. Improvement in either depends on changes in both. Her proposals for changing the traditional division of labor include (1) compulsory marriage contracts specifying the division of labor wanted by both partners; (2) compulsory child-care insurance to provide for the care of children in case of divorce; (3) individualized earnings for all work, including work in the home, thus making homemaking more costly and improving the independence of women; (4) special taxes on all men (except sterile men and men taking care of children at home) for the benefit of children in female-headed families; (5) taxing male earnings more heavily than female earnings or taxing male-dominated occupations more than female-dominated ones, thus increasing the relative attractiveness to men of employment in the home. As Shaw says, the main point of these suggestions is to help us think through the major revolution we are currently engaged in, bringing about a new division of labor. These are exciting ideas.

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The book as a whole is remarkably succinct and offers a surprising amount of information. It is also both depressing and challenging. Achieving equality, the authors tell us, without blaming the victim, is a do-it-yourself kind of project.

JESSIE BERNARD
Washington, D. C.

Doctoring Together: A Study of Professional Social Control *by Eliot Freidson. New York, Elsiever Scientific Publishing Co., 1975.—xiii, 298 pp. $13.95.*

Professor Freidson's study not only sets a new standard for analysis of the bases for social policy in regard to health care delivery but it is also particularly timely in that it deals with a problem just coming under some degree of social control: the quality of physician performance. As a sociological case study it will come to be recognized as a classic in its attention to the social theory of professions and occupations and to bureaucratic functioning. Freidson's appendix on methodology is also particularly useful in showing the lengths to which a sociologist must go to determine a factual pattern in qualitative observations and interviews. Description of his method contrasts vividly with that of the investigative reporter applied to similar qualitative data.

It has been widely assumed that prepaid group practice provides the ideal setting for the practice of medicine, that attention to prevention and patient needs other than the immediate is readily possible, and that a group of physicians working together efficiently monitor each other. Freidson has found this to be not necessarily so, even in the model practice he examined. Through participant observation and interviewing he immersed himself in the day-to-day functioning of the group. As a consequence he is able to offer a rare insight into group medical practice. His report examines work problems, the foundations of social control, and the success and failure of professional sanctions. His findings do not leave him sanguine about the possibility of peer group pressures ever providing effective social control for physicians. "Even if the processes of collegial control in prepaid group practice leave something to be desired, as I suggest they do, it is likely that in individual, entrepreneurial practice they are considerably less adequate" (p. 240). This is one of Freidson's most important points. The major form of practice in the United States is solo, fee-for-service and from his point of view even less amenable to social control mechanisms. Encouraging group practice, however, as the present federal policy of fostering Health Maintenance Organizations does, will not necessarily eliminate all the problems of private practice as some have hoped. Other types of control are needed. Possibly, Professional Standards Review Organizations will be an answer. The physicians Freidson observed, however, seem unlikely to be completely responsive even to the PSRO approach. Strong medical leadership may be found more important in setting and maintaining high standards; administrative authority in a group practice is clearly not enough. Techniques such as use of the problem-oriented record that permits better record keeping with less effort and allows chart review to be easily done as a routine may also be promising ways of ensuring quality.

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In the final analysis, as Freidson admits, internalization of norms and values by each physician is critical to performance. Surprisingly, he does not refer to Osler Peterson's studies of two decades ago in this regard. Better preparation of physicians and continuing education may prove in the long run to be as necessary as attempts at social control in the work place.

The study is complete in itself but one would like to see Freidson's observations confirmed in a wider sample, as he has done to a small degree (see his Table 1, p. 21). The group practice he studied is idiosyncratic in a number of ways. At the time of his study it was the only hospital-based group in the insurance plan which he has called MSP. The influence of the large, prestigious teaching hospital is ignored in his analysis. Thirty of the primary practitioners were full-time staff, but the other twenty or so were part-time specialists on the hospital staff. Presumably the specialists, at least, were subject to some social controls through their hospital department chiefs that were not examined.

Friedson has put his finger on the important problems of prepaid group practice: the pressures from clients and from administration arrayed against the internalized norms of a profession straining to maintain its autonomy. For this the profession and the public, as well as those charged with setting policy goals, should be grateful. So too should his fellow students of the sociology of medicine.

GEORGE G. READER
Cornell University Medical College

Future Land Use: Energy, Environmental and Legal Constraints *edited by Robert W. Burchell and David Listokin. New Brunswick, N. J., The Center for Urban Policy Research, Rutgers University, 1975.—369 pp. $17.95.*

These edited conference papers and comments rather thoroughly debate future energy supply and its impact on United States land use and the techniques of timing urban growth Ramapo style. There is a detailed description of the National Environmental Policy Act of 1969 and a highly technical explanation of energy alternatives.

Respected commentators on land use and energy are represented, including George Sternlieb, Norman Williams, Jr., William K. Reilly, Donald G. Hagman, Harold F. Wise, S. David Freeman, Anthony Downs, Irving Kristol, and Dick Netzer. But like most conference proceedings, it is a jumble. There are plums in the pudding, but the reader will have more trouble than Jack Horner pulling them out. The editing is atrocious; references are made to statements that apparently were eliminated; sentences often do not follow each other or are inscrutable; the level of technical detail varies widely, and the variety of technical language makes it unlikely that one reader will understand the whole. The proofreading is like the first edition of *The New York Times*.

Yet there are interesting points. The Rutgers team's introduction predicts sharp changes. Americans, they say, no longer can expect a much higher living standard than people in other countries. Our extremely high standard of housing cannot be

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sustained. For example, Russia has a seven-year plan to provide little more than 100 square feet of housing space per person, while an average FHA one-family home in the Northeast in 1972 provided 1500 square feet. Their other housing predictions include (1) an end to rental housing—with the regret that it comes at a time of frequent moves when it is costly to be tied to housing ownership; (2) a shift to multifamily housing to minimize environmental impact and provide recreation; and (3) more "front end" money needed for housing projects to satisfy governmental requirements. They see capitalism threatened by stagnation in American economic growth.

Some commentators see little significant change coming in American life other than minor adjustment toward resource conservation that the price system can achieve. Kristol even warns that recent court orders which might have modified land use cannot last long: the "cozy thing going on between the environmentalists, the city planners, the lawyers, and the judges . . . bossing the American people around" (p. 345).

But the papers do aim at improving land use controls, beginning with the identification of existing problems listed by Williams:

> The three forces impinging on land use tend to work against each other—direct land controls, heavy dependence on local real property tax, and the location and timing of public works.
>
> Local controls cannot meet major metropolitan problems and do not allow all persons affected to be represented in the decisions. Also, local government often is administratively weak and corrupt.

Frequently mentioned as a basic solution is to require local plans to be nested in county plans that, in turn, must fit with regional plans which must follow state and national guidelines. Recent state laws in this direction in Maine, Vermont, Colorado, Florida, and Maryland are described.

There is some praise for environmental impact statements allowing greater public involvement, but there is more criticism of them for overwhelming the public with indigestible information and delaying action. Suggestions for reform add up to providing the information more simply and earlier. Several writers imply that public participation can only take place at the most local level and is therefore antithetical to regional or even city planning. But why can't the public discuss regional issues as well as local issues?

The energy discussion focuses mainly on conservation. There are many recommendations; most are dependent on more compact urban settlement patterns. But some commentators feel this is only a rationalization of planners who want such patterns for other reasons. Some feel it will never happen, right or wrong.

Sternlieb's final comments imply that we had better try. He sees the oil crisis as a force to which we must respond, and he associates land use and environmental controls with energy needs. "The powers of nay-say, of *immobilisme* have never been so dominant—the need for a unity of vision and action never so pressing" (p. 355). This book moves us along a little bit.

WILLIAM B. SHORE
Regional Plan Association

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Ethical and Legal Issues of Social Experimentation *edited by Alice M. Rivlin and P. Michael Timpane. Washington, D. C., The Brookings Institution, 1975. —189 pp. Cloth, $9.95; paper, $3.50.*

In 1973, the Brookings Panel on Social Experimentation assembled scholars to discuss the perplexing legal and ethical issues involved in social experimentation, particularly that related to social policy. The papers serving as the foundation for the conference discussion plus others resulting from the conference comprise this book's contents, along with an introduction and summary by the editors. Contributors include Robert M. Veatch, David N. Kershaw, Peter G. Brown, Joseph P. Newhouse, Edward M. Gramlich, Larry L. Orr, Charles L. Schultze, Alexander Morgan Capron, and Thomas G. Schelling.

This book comes at a time of converging trends. With increased discontent over government spending, the executive branch, Congress, government agency members, and the general public have pushed for greater accountability in governmental expenditures for social programs and greater assurance of programs' significant benefits. Hence, there have been attempts to establish experimental programs to demonstrate their effectiveness before policy makers implement them on larger scales. Concurrently, deriving from widely publicized reprehensible research actions, there has been heightened concern with maintenance of human dignity for experimental program and research participants.

The confluence of these trends has produced considerable debate about the ethics of social experimentation. This book gives historical background to the debate and provides valuable information to those conducting experimentation related to social policy formation (e.g., information on HEW guidelines for social policy research and legal bases and restrictions for such research).

More importantly, the book raises sensitivity about unresolved issues, the book's writers taking both opposing and overlapping positions on them. The following issues are included: (1) To what extent are ethical concerns greater for experimental programs than for operant nonexperimental programs? (2) How are potential benefits weighed against potential harm? (3) From whom and for whom is informed consent necessary (communities, institutions, parents, children)? (4) How informed must participants be to give truly informed consent? (5) How can informed consent exist without contamination of the experiment? (6) Are there groups who cannot give informed consent and should be excluded from the experiment? (7) Who may withdraw from an experimental program? (8) What obligations do researchers and program staff have to those harmed by participation in treatment and control groups? (9) What safeguards should exist to protect those outside the experiment who might be affected by it? (10) How can anonymity or privacy be assured? (11) What kind and quantity of information should be collected? (12) Is compensation of research subjects bribery? (13) What rights do experiment participants have to continued treatment after experiment completion? (14) What rules, procedures, codes, peer reviews, interest group involvement, and appeal structures should exist in experimental programs?

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Although tremendously insightful and useful, the book has, among others, the following weaknesses. First, although agreement obtains that data on experiment participants should be confidential, most government contracts/grants have clauses making the data government property. Theoretically, under the Freedom of Information Act, the government might be forced to release the data, precluding promises of confidentiality. Although the FIA's implications have not yet been fully clarified, the writers do not take it into account. Second, although this writer fully supports informed consent, the potential bias in the experimental population deriving therefrom and the reduced generalizability of findings are inadequately treated. Third, the potential harm that lack of treatment in and of itself may cause to control group members is not explored sufficiently. Fourth, certain writers tend to spend more time redefining research and program actions so that they appear not to involve ethical questions than in explicating the dilemmas involved if the actions were defined as ethics-relevant. Last, insufficient attention is paid to the attainment of negative information on the poor, uneducated, and/or minority populations by the powerful (e.g., government agencies) and the impact this knowledge might have on actions taken regarding these populations. The authors illustrate too much faith in the morality of government bureaucrats and in the ability of interest groups et al. to intercede and represent the powerless against government institutions. It is this kind of faith that permitted the political events and government injustices of the past years to occur.

PAULA JEAN MILLER
University of Maryland

Free and Independent *by Frank Smallwood. Brattleboro, Vt., The Stephen Greene Press, 1976.—xvii, 235 pp. Cloth, $10.50; paper, $5.95.*

After having completed only a single session in the Senate, Frank Smallwood in 1973 was selected as one of the outstanding state legislators in Vermont. The following year, he decided not to run for the Senate again.

Smallwood, a political science professor, returned to Dartmouth, from which he had taken his first sabbatical leave in ten years to run for and be elected to the Vermont Senate. The rest of us may feel disappointment at his retreat, but there is one consolation. Had he continued in the legislature, we almost surely would not have been able to enjoy this splendid book.

Even political scientists cannot live by Jewell and Patterson alone. They require the perspective and insights that a personal memoir is able to offer. *Free and Independent*—"the initiation of a college professor into state politics"—serves well here, taking a place with Stimson Bullitt's *To Be a Politician* and Clem Miller's *Member of the House*. What adds an extra measure of delight is the gently self-deprecating humor with which the author portrays the political scientist qua politician.

At the beginning, there is the primary campaign. Together with a former student

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just graduated from Dartmouth and eager to help, Smallwood the candidate takes to the road. Having met only eight people after hours of search, the two relax in a local cemetery to reassess campaign strategy. "Professor Smallwood," interjects the former student, "I'm not sure we're going about this in the right way. . . . I checked the census figures last night. Rochester has a total of 884 people, and Stockbridge has only 389 people. I sort of wondered why you wanted to start off here." Drawing upon his years of academic research, the candidate replies with impeccable logic. "My geographical thrust is keyed to timing. I'm starting in the less populated outer edges of the county before working in to the more populated Connecticut River towns so that my campaign will gain a gradual sense of momentum. This is where timing comes in. Timing is crucial in politics. It will be bad if I peak too fast" (p. 34). The former student simply looked mystified. Thereupon, the strategy was revised and it was decided to meet as many, rather than as few, people as possible.

In the middle, there is the legislature. A member of the Natural Resources Committee, Smallwood the legislator attempted what few legislators every try—to exercise legislative oversight. Under a law that restricted flashing neon signs in order to protect the scenic environment, a state agency issued a regulation prohibiting barber poles from turning. A bureaucracy going berserk apparently had not been the intent of the legislature. A veteran senator on the committee was incredulous. " 'Frank, I want you to level with me. . . . Those four guys this morning, were they really trying to run the barber poles in Vermont? . . . Four bureaucrats trying to run two dozen barber poles. What's that come out to? Let's see. Six barber poles apiece. That's it! Each one of those guys regulates six barber poles. . . . Good Lord, I wish we could get them under control. Hey, wait a minute'—his eyes lit up—'why don't we try that thing, that word you use in the committee all the time, to control the executive welfare?' 'Word, Jack?' I said. 'I don't remember any word about executive welfare. You're the guy who thinks up these terms, not me.' 'No, no, no,' he came back at me, 'you said the professors have a word for it. I remember now. It sounded like some kind of clothes: overcoats, or overalls, or overshoe. Something like that' " (p. 107).

At the ending, there is some consideration of the personal dimension. The first year, while on sabbatical, serving in the legislature had been "almost a breeze"; the second, while teaching full time, became a "real nightmare" (p. 221). The conclusion that Smallwood the legislator-professor draws is that "anyone who is interested in making a major commitment to politics had best be prepared literally to give up all else . . ." (p. 223).

Despite some soft spots and occasional lulls, Smallwood's book is most rewarding. It will do nicely until another of our colleagues runs, wins, serves, and then writes a better book. This combination is not likely to occur very soon.

ALAN ROSENTHAL
Rutgers University

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Representatives and Represented: Bases of Public Support for the American Legislatures *by Samuel C. Patterson, Ronald D. Hedlund, and G. Robert Boynton. New York, John Wiley & Sons, 1975.—xviii, 212 pp. $12.95.*

This is a study of the legitimacy of state legislatures, primarily focusing on Iowa but commenting briefly on thirteen other states. Based upon survey research of the general public and of various elite political groups, the study seeks to understand the concept of representation better by gauging the degree of acceptance of the role played by the legislature and by testing every hypothesis that could be derived from such data. Indeed, as is so often the case in such research, the reader sometimes wonders whether the authors are interested less in their subject matter than they are in the ways they conjure up to tease inferences about very broad political questions from a survey instrument. In the end, in this as in other survey research analysis, one begins to wonder if the thin data base will support the heavy inferences the authors load upon it.

To get to the heart of the matter, they find, not surprisingly, that those who participate more in government generally and those who have upper-income and upper-class status have the highest regard for the Iowa legislature; conversely the poor take a dimmer view of the institution (pp. 61, 69). A number of anomalies come up, however. For example, they find "no important relationship between state salience [i.e., perceived interest in and awareness of units of government] and support for the state legislature" (p. 158). This raises the interesting question of whether respondents understood the same things as the authors did in the language of the questions asked. Also, there are places where the respondents may have given the answer that was self-flattering rather than accurate. Thus 52 percent of the mass public respondents asserted they had met their state legislators or had seen them at meetings, but in most state legislative districts that figure would probably grossly exaggerate reality. There are many districts with hundreds of thousands of voters in them and there would be scant likelihood that half the citizens of such districts would even be aware of who their state legislators were, not to mention having met or seen the legislator in person. That raises another interesting question about such research. If one reads such an exaggeration (or what one can only suspect is an exaggeration), how is one to react to it? If one disbelieves, there is little opportunity to provide contrary evidence, but once having doubted one survey "fact" one begins to wonder how many others contain exaggerations or distortions.

There is one other serious problem with this research: data on Iowa are roughly ten years old. Much has happened to diminish citizen appreciation of legislatures and politicians in the last decade, and one therefore has to be skeptical that what was true ten years ago is true now. Again, one has the feeling that the journey was taken not to "get somewhere" but to test out the operating qualities of the chosen research vehicle. It is certainly true that development of methodological innovation requires experimentation, but those interested in the institution being subjected to research may be a bit disappointed when the institution fades away in the shadow of methodology. And that is what happened to this project.

DUANE LOCKARD
Princeton University

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The New Deal in Georgia: An Administrative History *by Michael S. Holmes. Westport, Conn., Greenwood Press, 1975.—xi, 364 pp. $14.95.*

This book, although it deals with a relatively limited subject, is a first-rate piece of work and it is well written. Administrative history often tends to be set forth in boring prose, but here the author demonstrates a lively style. Moreover he has done more than just mine the usual sources. The research shows imagination as well as energy and diligence. Indeed, in many ways *The New Deal in Georgia* can stand as a model monograph—a detailed, well-reasoned, and readable analysis of a tightly delineated subject.

Michael S. Holmes can take pride in the finished work. It fulfills his stated purpose of recounting "what befell the New Deal once it left Washington" and "why it happened that way" (p. 14). To accomplish these ends he has zeroed in on the workings of eight major New Deal agencies in Georgia during the middle and late 1930s. The eight agencies are the Federal Emergency Relief Administration, the Civil Works Administration, the Works Progress Administration, the Public Works Administration, the National Recovery Administration, the Agricultural Adjustment Administration, the Resettlement Administration, and the Farm Security Administration.

In discussing the impact of these eight agencies in Georgia, Holmes concludes that the traditional questions about the New Deal at the state level must be revised. He argues that it is important not only to realize that the federal government had an impact upon that state, but also that state political, social, and economic conditions determined the effectiveness and scope of the New Deal's operations. In Georgia the New Deal agencies unquestionably did produce "some limited achievements" (p. 318) during their existence, but the agencies' impact was much greater in the long run because they "sowed the seeds of later change" (p. 319).

Much of the book is concerned with identifying the forces at the state and local levels that determined the directions the New Deal programs took in Georgia. Whatever the plans of those in Washington who instituted the agencies' methods of procedure, circumstances (as for example the outspoken hostility of Eugene Talmadge, a political power in the state and governor for much of the 1930s) forced the modification of avowed New Deal goals. And in his analysis, agency by agency, Holmes is quite thorough and persuasive in detailing why and how matters finally developed.

Holmes contends, furthermore, that similar detailed examinations of New Deal operations in other states will "undoubtedly discover many peculiar, yet important circumstances" (p. 14) that will help to measure the New Deal as a whole. In all probability Holmes is correct in this contention. And important steps have been taken in this direction, one of the most significant being the appearance of a collection of hitherto unpublished articles, *The New Deal: The State and Local Levels*, edited by John Braeman, Robert H. Bremner, and David Brody (Columbus, Ohio State University Press, 1975).

Without detracting in any way from the many excellences of Holmes's book, it seems to me fair to assert that its thesis could just as easily have been stated in an

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article, and that anyone interested in the details might then have sent for his dissertation (the basis for his book). But this reservation apart, the book is an intelligent and worthwhile treatment of a complicated subject.

DANIEL J. LEAB
Seton Hall University

The Improbable Era: The South since World War II *by Charles P. Roland. Lexington, The University Press of Kentucky, 1975.—ix, 228 pp. $11.95.*

Recent literature on the South suggests that the period since World War II may be compared with the post Civil War era in the dramatic scope of the social change taking place in the region. Charles Roland's new book does more to document the validity of this judgment in its broadest dimensions than any other work on the subject.

With a remarkable economy of words (the text is less than 200 pages), Roland takes the reader through thirty years of hectic southern history in a series of topical chapters on economic development, civil rights, politics, religion, literature, and the arts. Although packed with specific data, the book is much more than a collation of statistical indicators of change; each chapter is fleshed out with clear accounts of those concrete events which illustrate in the round the causes and consequences of the massive economic, social, political, and cultural alterations of the South during the period under consideration. And the events are made whole by the sensitivity of the author in portraying in bold strokes the multidimensional characters of the individuals (great and small) who moved and shaped these events.

Unlike many topically organized histories, *The Improbable Era* is cohesive in the best sense of that term. Organizationally, the unity is achieved by a prologue covering the conditions on which the agents of change worked, and by two concluding chapters which brilliantly summarize the interplay of forces making for change and imposing constraints on the extent and direction of change. Substantively, the book is unified by a subtly developed central theme: the South was and is characterized by social and cultural qualities that differentiate it from the rest of the country, and these qualities have persisted (and made their influences strongly felt) in the area's adjustment to the shifting tides of circumstance. Again, without pounding the idea home interminably, Roland is more cogent on the extent of the recent convergence of South and North (as well as on the continuing points of divergence) in matters of external appearance, as well as in symbolic self-perception, than any of the other writers who have addressed this difficult question.

Most of the particularities of the South identified here are already well known: modes of speech; personalism and good manners; class and caste structures; the familial basis of social cohesion; sense of place; religious commitment (essentially fundamentalist); the rural tone or outlook; Populist, Progressive, Bourbon patterns of political identification within the single-party system; the tendency to violence; and the military-patriotic bent. But the author's capacity for integrating

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these characteristics, both internally and among themselves, enables him to excel in explaining why the South was able to achieve homogeneity in the face of so many seemingly contradictory facets of its social and political life, and how these regional attributes, institutions, and outlooks improbably enabled the South to adapt to sweeping change in its socioeconomic patterns and race relations without total disruption. The stories, for example, of southern "progress" through economic development and commitment to education as a social panacea, while the region retained a religious view of man and the world as imperfectible, and of the changes in the legal—and in many respects the de facto—status of blacks as a result of external pressures, but with a mutual accommodation between the races that has not yet been achieved elsewhere, have not been told better anywhere. And the attainments of the South in literature, as well as the connections between the folkways of the region and its more limited, but unique, contribution to the arts through folk music and the theater, are related as effectively to the general culture (in the anthropological sense) as they are in many works directed exclusively to these topics. Yet in no case are the developments overplayed; appropriate qualifications are continuously made with respect to the contingent nature of all historic trends and the persistence of the bad as well as the good in the changing patterns of southern life.

The Improbable Era demonstrates that it is still possible to write an interesting, informative, and balanced interpretative history of a recent period without yielding to the sentimentalism, sensationalism, or sheer destructiveness of so much contemporary "analytical" history. The book should be required background reading for anyone who seeks to understand what has happened in the South over the past three decades.

WILLIAM C. HAVARD
Virginia Polytechnic Institute and State University

Nuclear Proliferation and the Near-Nuclear Countries *edited by Ankar Marwah and Ann Schulz. Cambridge, Mass., Ballinger Publishing Company, 1975.—xv, 350 pp. $16.50.*

Another series of conference papers has been published, thus creating another "committee book." Before presenting the inevitable critique with its comments on "uneven quality," "loose organization," and "lack of a central focus" it will first be necessary to give the reader some idea about this book's subject.

The papers were originally presented at an interdisciplinary conference held in March 1975 at Clark University in Worcester, Massachusetts, prior to the nuclear Non-Proliferation Treaty (NPT) Review Conference of May 1975. The international group of participants included a geographer, political scientists, physicists, and government officials. The purpose of the conference, and presumably of the resulting book, was to "evaluate the impasse that presently exists in the nuclear arms control field" and to present a "dialogue between nuclear weapons states and

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potential proliferators . . . on a common set of premises" (p. 13). Although all of the information is understandable to a nonspecialist, the technical nature of several chapters suggests that the book is definitely not appropriate for an undergraduate audience but could possibly be used in a national security policy course at the graduate level.

The first part presents an analysis of the contemporary international geopolitical context, a comparison of United States-Soviet Union nuclear capabilities in the SALT era, and an examination of the NPT from the perspective of six potential nuclear weapons countries around the Indian Ocean, including Australia, India, Indonesia, Iran, Pakistan, and the Republic of South Africa. The second part of the book presents a highly technical study of possible nuclear accidents, another technical discussion of the basic principles of nuclear explosive technology including a prediction of worldwide nuclear technology by 1982, and an analysis of the superpowers' efforts at nonproliferation as seen through the eyes of the director of the Indian Institute for Defence Studies and Analyses. The third section, comprising one-half of the book, looks at the military capability and nuclear potential of the Middle East, Iran, South Africa, Japan, Brazil, and Argentina.

Unfortunately, most of the usual comments about committee books are relevant here. The chapters are of uneven quality to be sure. The one by Stefan Leader and Barry Schneider presents some very useful information on the comparative capabilities of the superpowers. K. Subrahmanyam's article is must reading for an American audience. It is novel, though not necessarily flattering, to see ourselves as others see us in a field that we have dominated for too long. Steven Rosen's piece is quite suggestive, and timely in view of public disclosure of Israel's development of the bomb, since he sees some hope for stability in the Middle East when nuclear weapons become available. Christoph Hohenemser's contribution is far more technical than the rest of the book and seems to be only marginally relevant. Theodore Taylor's piece says too little about too much and thus offers little that is new.

In addition to the uneven quality of the papers, the book also suffers from confusing organization and an odd selection of material. One of the editors indicates that there are fourteen countries "most able to embark upon national nuclear weapons programs" who have not signed or not ratified the treaty or who may be suspected of "unsigning" it (p. 2). Four of these countries—Chile, South Korea, Spain, and Taiwan—are not discussed while another country, not on the list, Australia, is mentioned briefly. In short, one wonders why one is looking at the particular group of countries covered by the book. Within the book itself Part Two is a mystery. Its first two chapters are only marginally related to the rest of the book and the third chapter, India's reactions, belongs in Part Three which discusses individual countries.

Despite the editors' avowed intentions to establish a dialogue on a "common set of premises" this reviewer was unable to find any common premises uniting the book. Finally, the book would have profited by omitting the discussion essays at the end of each section. While the discussions themselves may have been interesting and informative, as so frequently happens, a digest or summary of even the most interesting discussion usually becomes a series of inane platitudes. These little essays

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are no exception. Despite these objections to the book as a whole, some of its individual parts are of such high merit that it can be enthusiastically recommended to anyone in the field of nuclear policy.

PHILIP DYER
The University of Nebraska-Lincoln

American Defense Policy from Eisenhower to Kennedy: The Politics of Changing Military Requirements, 1957–1961 *by Richard A. Aliano. Athens, Ohio, Ohio University Press, 1975.—xi, 309 pp. $13.50.*

Arguing that domestic politics plays a large role in the formation of American defense policy, Richard Aliano has produced a competent if generally unoriginal study of the disputes over military posture in the last years of the Eisenhower administration. Noting that Eisenhower and Kennedy followed different policies in response to roughly the same foreign policy situation (i.e., increasing Russian political power), he points out that an explanation of these policies must involve more than the external stimuli. Few would disagree with this argument. It has been well documented in earlier works, as well as in this book, that Eisenhower felt that nuclear "sufficiency" could provide protection against a wide range of communist threats. Kennedy, supported by the bulk of military analysts in and outside of government, was less confident. Echoing the stance taken in NSC-68 ten years earlier, he felt that the United States needed both stronger conventional defense capability and a wider margin of nuclear superiority.

In the area of conventional forces, it is clear that Kennedy wanted capabilities that Eisenhower felt were unnecessary and wasteful. In the nuclear area, however, it is not entirely clear that the differences went much beyond issues of timing. Rather than instituting new strategic systems, Kennedy accelerated those approved by Eisenhower. Although Aliano presents some evidence that Eisenhower was content as long as the United States had a secure second strike capability and cared little for increments beyond this, since the United States had overwhelming nuclear superiority during the period when Eisenhower was president, it is hard to be sure what his response would have been to a situation in which the Russians seemed likely to match our nuclear posture while retaining a large advantage in conventional forces.

The bulk of the book describes the views and behavior of those who dissented from the Eisenhower defense policy—leading members of the military, the press, academic analysts, and most spokesmen for the Democratic party. Little of this material is new and the author's categorization of the military as "the innovators," the press and academicians as "the popularizers," and the Democrats as "the capitalizers" is artificial. In his discussion of Congress, however, Aliano makes several original points. Contrary to Fenno, he finds little difference between the behavior of the House and the Senate appropriations subcommittees (p. 204), although he notes that this may have been a temporary aberration (p. 206). He also argues (p.

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207) that the "chief factor which accounted for patterns of behavior [on the part of the members of the relevant committees] was party loyalty" and that the influence of partisanship increased as the presidential election drew near. Although Aliano does not go into detail on this point, the change seems to have occurred largely on the Republican side, as Republican congressmen who had defected from Eisenhower at the height of the Sputnik controversy returned to positions more in line with those of the administration.

Aliano concludes that "In general, one can say that the broad contours of foreign policy (such as America's postwar containment of Soviet influence) are largely a function of external factors—that is, national interest and power considerations. But specific decisions on the disposition of the defense effort (such as the strategic and conventional build-up which occurred under the Kennedy and Johnson administrations) and conditioned by the internal political process" (pp. 264–265). But this study provides little more in the way of rigorous or subtle analysis to carry us beyond this vague formulation. How much do the political and ideological predispositions of the decision makers matter? To what extent must we look at the "deep roots" of foreign policy and the anchoring of various political and governmental factions in broader social strata? How do bureaucratic strategies enter into the political processes? How are partisan strategies calculated and developed? Without discussion of questions like these, there is little use for another study that goes over familiar material. For most purposes, readers are better served by well-known books like Huntington's *Common Defense*.

ROBERT JERVIS
University of California, Los Angeles

Business Civilization in Decline *by Robert L. Heilbroner. New York, W. W. Norton & Company, 1976.—127 pp. Cloth, $6.95; paper, $2.95.*

In early summer 1976 the contrast between the terms of political and intellectual debate are even more startling than usual. On the political front, both major parties are in the process of nominating representatives of their conservative wing. Carter is as far right as potential Democratic presidents are likely to be. Ford and Reagan are as reactionary as national Republicans have in recent history traveled—no mean achievement. If one judges by the primary results, the voters are in no mood for major social or economic initiatives. By contrast, the pundits scent crisis. As evidence in point, run down the book titles of winter and spring 1976: Barry Commoner's *The Poverty of Power*, Daniel Bell's *The Cultural Contradictions of Capitalism*, Tibor Scitovsky's *The Joyless Economy*, and Michael Harrington's *The Twilight of Capitalism*, not to mention my own *Economists at Bay*.

A charter member of this company, Robert L. Heilbroner is in accord with the general conclusion of this assortment of polemics that American capitalism in anything approximating its 1976 version will not last long enough to be celebrated on the occasion of the country's Tricentennial. Drawing heavily upon both Karl Marx and Joseph

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Schumpeter, Heilbroner in spare, lucid prose argues the thesis that capitalism which, as Marx insisted, is premised upon unlimited growth and boundless profit, must surrender its legitimacy when profit rates continue to decline under the pressures of resource exhaustion, population growth, redistributive drains to the Third World, and the accelerating capacity of organized labor to extort wage gains far in excess of productivity improvements. Although for the next generation or two, Heilbroner concedes the possibility that capitalism may stave off its own demise by turning to state planning under corporate domination, he believes that the respite is fated to be only temporary. So long as democratic capitalism endures, its political agents will tend to solve quarrels between capital and labor by awarding pieces of the economic pie which add up to a total greater than slowly expanding economies can in real terms produce. Consequently, the politicians will resort to the printing press to satisfy, momentarily, the dollar claims of organized pressure groups. The resulting inflation is an intolerable burden upon thrift and enterprise, as destructive to democratic harmony as the very bloc conflicts which it seeks to blur.

As Heilbroner tells the tale, authoritarian governments will in the end displace increasingly weak and discredited parliamentary institutions. Hovering in the background are the cautionary examples of Italy and England, weak economies which have already yielded to inflation in the attempt to resolve incompatible group claims upon the national product. Heilbroner's case is argued persuasively. Whether it convinces depends first on the reality of resource limitation and slower future growth. Energy and minerals may or may not run out. But the politics of global competition between ourselves and the Russians guarantees the sort of commodity agreements and concessionary credit which are bound to keep raw material prices rising and the growth of developed societies slow.

There is a second major issue upon which I am inclined to enter a word of dissent. Are authoritarian governments necessarily or even usually more efficient than the untidy parliamentary devices to which we are accustomed and against which we habitually repine? It is sensible to wonder, for example, whether the succession crisis already obsessing China and Yugoslavia and about to afflict Russia is any less costly even in strictly economic terms than the routine defects of democracy.

Read in conjunction with the author's striking *Inquiry into the Human Prospect* of last year, this scenario for capitalist decline implies a measure of consolation to the middle-aged. Unless truly remarkable advances in geriatrics soon are made, none of us is going to be around to suffer the cataclysms in store for our descendants. Heilbroner draws as additional refreshment from his vision this parting word: "Who will regret the passing of the conception of the 'private' ownership of wealth that is patently social in origin and impact, or the end of the market mechanism with its efficiency in the attainment of every purpose save that of human development?" (p. 121).

ROBERT LEKACHMAN
Lehman College, City University of New York

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The Private Franklin: The Man and His Family *by Claude-Anne Lopez and Eugenia W. Herbert. New York, W. W. Norton & Company, 1975.—xvii, 361 pp. $11.95.*

Though the publishers of this book may have hoped that it would appeal to prurient Bicentennialists, the potential significance of its topic to historians is considerable. Biographies of Benjamin Franklin abound, but Lopez and Herbert have made a specialized effort to illuminate his complex interactions with family and a few close female friends. Because their investigation has focused on a "great man," at a time when practitioners of the "new social history" are conducting quantitative demographic research to show early American family life "from the bottom up," *The Private Franklin* is vulnerable to the usual charges of elitism and obsolescence that fill history periodicals. Lopez, a biographer with a background in literature and long experience editing Franklin's papers, seems indifferent to such criticisms—to judge by her self-styled "subjective" preface. Herbert is a historian, however, and has contributed an "objective" preface justifying the enterprise on the grounds that the unusually rich documentation of Franklin's life represents the varieties of domestic experience with far more specificity than vital statistics. In her defense, it can also be argued that insight into the private relationships of a Founding Father may help to expose the psychological mainsprings of early American political culture, which—as historians have lately begun to emphasize—was pervaded by familial concepts and imagery.

Unfortunately, *The Private Franklin* fulfills little of this last large promise, and is not even completely successful on its own more modest terms. To be sure, there is a wealth of fascinating material here, organized into a readable and admirably even-handed account that will be indispensable to all serious students of Franklin's career and thought. What the book lacks, however, is a strong interpretative strategy. Freudian analysis is shunned—perhaps with good reason, since Franklin's crucial early years are accessible chiefly through the problematic *Autobiography*. Lopez and Herbert do make the shrewd suggestion, in passing, that the secret of Franklin's "remarkable adaptability" may have been his "knack of making himself a home in new places, building the cocoon of new 'families' when his own was not available" (p. 91). Perhaps such behavior reflected "a kind of emotional promiscuity," Herbert speculates in her separate preface, adding that Franklin "compensated" for his own small family by assuming responsibility for brothers, sisters, nephews, nieces, and cousins (p. xi).

This may be true enough, but it leaves much unsaid. If one point is inescapable in *The Private Franklin*, it is that Franklin's family life was strikingly deviant by the standards as well as what is known of the practices that prevailed in eighteenth-century America. He ran away from home as a very young man, having battled furiously with an older brother, and afterward was cool if respectful to his parents. For fifteen of the last seventeen years of his common-law marriage he lived abroad, an ocean's distance from an unhappy wife whose protracted final illness never caused him to return home. He quarreled with one child over her choice of a husband and with her older illegitimate brother not only over marriage but also—irreconcilably—over politics. The favorite grandson, also illegitimate, was destroyed by his grandfather's excessive favors. Far from being a patriarch who trusted to the strength of familial

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bonds, Franklin only occasionally selected business and political associates from the ranks of his own relations.

Lopez and Herbert have missed an excellent opportunity to try to connect Franklin's curiously modern family experience with his political theories and actions, which have often puzzled historians precisely because they do not seem explainable in terms of the sociocultural context from which he emerged. If upon closer scrutiny, for example, his discussions of community or empire should appear to have made unorthodox use of familial language, it would not be surprising. The subject compels attention if only because it points toward a linkage between the concerns of the "new social history" and those that presently engage historians of politics. Lopez and Herbert offer some valuable clues in *The Private Franklin*, but it remains for others to pursue them.

STEPHEN BOTEIN
Harvard University

Canada and the American Presence: The U. S. Interest in an Independent Canada *by John Sloan Dickey. New York, New York University Press, 1975.—xii, 202 pp. $12.00.*

In this bicentennial year we may well be reminded that the first "American presence" in Canada, Loyalists fleeing the Revolution and the sufferings they incurred from opposition to it, produced an element in Canada's heritage that is still vital. As John Sloan Dickey, president emeritus of Dartmouth College and long a friend and student of Canada, records, their own anti-American feeling contributed to the special character of Canadian nationalism, which is basically a conscious choosing not to be American. How difficult it is to make this choice and to carry it out is neatly set out in this judicious little book sponsored by the Council on Foreign Relations. Dickey's purpose was to explain to those in the attentive public the background of various issues disturbing Canadian-American relations, in the interest of smoothing over the rough spots and preventing unnecessary friction.

Dickey, in seeking to describe Canadian feelings to Americans, comments respecting the "uniquely pervasive private character of the relationship," that "good relations are more dependent upon the quality of private American understanding than in the case of any other United States international relationship . . ." (p. x). Many of the issues he discusses do touch most closely on specific interests of private citizens, whether they are associated with corporations investing in Canada, or importers and exporters, academics, writers and publishers, or just residents of states close to the border who, like the author's fellow Vermont residents, get concerned about the driving habits of their neighbors from the north. He reminds his American readers that Canadians are less likely to look only at a single point of controversy in forming their perspectives about the United States, but feel the impact of a cumulative experience; thus to make a reasoned response to an isolated complaint is not very effective in removing the apprehensions of those living next door to the giant. Dickey, while not designing his book for specialists, helps to set the record straight

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on a number of questions. Thus he shows that, contrary to some critics of the multinational corporation, in a crunch "extensive foreign investment in large enterprises is no match for resolute, resourceful government policy by a host country" (p. 159). It was the Canadian government that called the tune in the 1973 oil crisis. Referring to "the heartland of today's nationalism, the Canadian academic community" and its fears, he points out that a potential American takeover of the university shares many characteristics with other kinds of takeover problems, including that the American presence in Canadian universities was largely "a response to Canadian initiatives and needs" (pp. 46–47).

Although directed primarily to the interested private American citizen, the book also discusses desirable United States government responses to Canadian needs and policy. It reminds American decision makers that Canada provides a valuable laboratory for many social and political experiments from which much can be learned, such as experience in revenue sharing between levels of government. That a truly independent Canada, not one easily influenced by the United States, is in the latter's interest is persuasively argued at some length. His reasoning that American officials need the knowledgeable and friendly criticism of a government which is neither adversary nor sycophant is likely to appeal to American critics of their own government. However, this may present to the policy maker a dilemma reminiscent of that which Dickey calls the "classical Canadian dilemma." Concerns with independent nationhood, he says, were largely hypothetical, "while benefits from the American presence were real, omnipresent, and all too manifestly enjoyable" (p. 107). To the United States official the specific objective for which he is pressing the Canadian government may override his interest in receiving advice on good policy over the long run.

While Dickey focuses on the unusually large number of touchy spots which have developed in the bilateral relationship in recent years as Canadian nationalists become increasingly sensitive to the pervasive American presence, he also notes in passing that the relationship can be influenced by events in the world external to the two countries. If, as he observes, self-defeating nationalist impulses on both sides of the border can be held in check so long as "the normal competitive interests of the two countries are being pursued within the cushioning collaboration of an expanding relationship" (p. 152), a longer look at the multilateral context of their relationship might suggest the points of expansion. Canada can and regularly does take its own stand on global policy issues whether or not these conform to United States policy. However, such issues increasingly pit the industrialized countries against the less developed, and in the north-south context the interests of Canada and the United States very frequently correspond, requiring close cooperation. Here the author's plea for more continuous, more effective consultation and for the agencies to conduct it should surely be heeded by both governments. True, the history of Canadian-American relations is strewn with institutions set up to solve mutual problems which fell into disuse through lack of will to keep the organizations functioning. Yet this history is also replete with long-standing controversies which were never really decided but, like many Canadian-American agencies, simp-

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ly obsolesced. Such issues may have cooled down because the protagonists learned from each other not to keep them stocked up. This little book ought to aid in such a learning process.

ANNETTE BAKER FOX
Barnard College, Columbia University

Winston S. Churchill. Vol. IV: The Stricken World, 1916–1922 *by Martin Gilbert. Boston, Houghton Mifflin Company, 1975.—xvii, 967 pp. $27.50.*

If the multivolume biography of Sir Winston, begun by his late son Randolph a decade ago, continues at the same monumental pace and scale, it will require at least another six volumes and fifteen years to reach completion. Volume IV concentrates on the period that in the world at large brought the triumph of the Western powers in World War I and the imposition of (or drift toward) a peace settlement thereafter, that in Britain witnessed the prime ministership of Lloyd George, and that gave Winston Churchill the opportunity to serve successively as minister of munitions, as secretary of state for war and air, and as colonial secretary. "Although we have not yet invented an unsinkable ship," the *Morning Post* wrote in 1917 of the scapegoat for Gallipoli, "we have discovered the unsinkable politician" (p. 29).

During these years, Churchill's role was pivotal in several parts of the world. As minister of munitions, he remained the staunchest advocate of the use of tanks and airplanes. As war secretary, he was most immediately responsible for demobilizing almost 3 million British soldiers in a matter of months. He was also responsible for the 14,000 British soldiers stationed in Russia as World War I ended. Without ever openly defying his government's decision to work toward their withdrawal, Churchill did his best in 1919 to use these troops as well as stores of surplus British arms to aid the anti-Bolshevik cause that came so close to apparent success in September and October of that year. "The Bolshevik system," Churchill declared triumphantly "was from the beginning doomed to perish in consequence of its antagonism to the fundamental principles of civilised society" (p. 346).

Although the events of 1919 reconfirmed widespread suspicions that Churchill was a war minister in search of a war, numerous other events of the years 1919–1922 belie that verdict. Churchill brilliantly defended his government's decision to relieve from command the general responsible for the "Amritsar Massacre" in India: "This is not the British way to doing business" (p. 409). He sought "a truce and an appeasement in Ireland" (p. 470), where he was more responsible than any other man for fashioning the compromise that set up the Irish Free State. He worked for the "appeasement of the Middle East" (p. 513): he helped set up the Arab kingdoms of Iraq and Trans-Jordan, and he defended the goals of the Balfour Declaration in Palestine, though fully aware that Arab-Jewish tensions would bring continual "perplexity and anxiety" (p. 624). Churchill worked steadfastly for a postwar reconciliation with Germany: "The aim is to get an appeasement of the fearful hatred and antagonisms which exist in Europe, and to enable the world to settle down" (p. 608).

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Mr. Gilbert has exhaustively mined the voluminous Churchill papers and those of dozens of Churchill's contemporaries, and he provides capsule footnote biographies of scores of individuals ranging from Lenin to Churchill's real estate agent. He does not, however, utilize the works of historians or political scientists; thus there is not a single reference to George Kennan or Richard Ullmann in hundreds of pages devoted to Anglo-Russian relations. The work is illustrated by numerous photographs and illuminated by Churchill's inimitable prose; in Balfour's words: "I admire the exaggerated way you tell the truth" (p. 356). The book remains an immense and often fascinating quarry but not truly a work of scholarly analysis.

WALTER L. ARNSTEIN
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Class in a Capitalist Society: A Study of Contemporary Britain *by John Westergaard and Henrietta Resler. New York, Basic Books, 1975.—xv, 432 pp. $15.00.*

The theme of this book is class inequality. Britain, as the subject matter, represents Western capitalism generally rather than a special national case. Both authors are university sociologists, one in Britain and the other now in Australia. They are concerned basically with economic data although they range widely over topics of interest to political scientists. Their perspective is avowedly Marxist, but one need not be a Marxist to be both impressed and depressed by their effective presentation of inequality in a capitalist society. It is most starkly stated in the finding (approximate though they admit it to be) that the income, after direct taxes, of the top 1 percent of the British population is as large as the income of the poorest third or so (p. 51).

Regarding this distribution, or something like it, as inherent in private capitalism, Westergaard and Resler do not expect significant changes to occur as long as the private ownership of the means of production remains dominant economically and so also, in their view, politically. Their supreme principle, of course, is equality of condition. They would hardly be satisfied with equality of opportunity even insofar as it is achieved or achievable. Nor would their position be vitally affected if the total income of a capitalist society rose so that almost everyone, including the lowest third of income recipients, enjoyed material gains despite a continued unequal distribution. Along with the possibilities just suggested, one response to critics like Westergaard and Resler is to question the degree and significance of the depicted inequality; it might be noted, for example, that governmental noncash benefits have not been included as income, or that low-income recipients are a highly disparate group. A different but not incompatible response from non-Marxists, troubled by the considerable inequality that they too perceive, is to insist that it can be substantially reduced in capitalist societies. In some manner, it is evident, the Marxist critique must be faced again in Western nations. Unlike the situation fifteen or twenty years ago, when Marxism had become almost quaint in Britain and the

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United States, it now has an intellectual following, especially in universities, that appears greater than that of the 1930s.

In the 1970s, to be sure, no contemporary socialist society regularly inspires the Western Marxist faithful as did Russia in the 1930s. The absence of a living model is apparent when reading this book. Sweden, though long governed by a social-democratic party, does not qualify; like Britain, it remains capitalist by definition. Nor do the authors depict Russia, China, Cuba, Yugoslavia, or any other socialist state as a satisfactory model. In fact, they do not discuss Marxist socialist nations except to note in a single paragraph (pp. 14–15) that Eastern European nations differ significantly from Western societies because of their state ownership of economic resources but that this ownership has not been translated into effective public ownership. The remark suggests that Westergaard and Resler prefer a more participatory democratic order than any so far provided by Marxist socialist experience. They appear also to want to avoid the sacrifice of Western-style political liberty in attaining equality. If so, it is surely understandable that they cite no living model. And it would require a different kind of book to argue that political liberty can exist without private capitalism

LEON D. EPSTEIN
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Britain and the People's Republic of China 1949–1974 *by Robert Boardman. New York, Barnes & Noble Books, 1976.—xi, 210 pp. $23.50.*

In January 1950, only months after the official establishment of the People's Republic of China and before the power of the government had been fully consolidated, Great Britain offered formal diplomatic recognition to the new regime in Peking. While neither official nor unofficial attitudes toward a China governed by Mao were by any means unanimous, the motivations governing the British decision were both simple and compelling. The basic formula took the form of a syllogism: the regime in Peking is a fact; facts must be recognized; therefore, the Peking regime must be recognized (p. 20).

In contrast to the later decision by the United States not to grant diplomatic recognition, the British observation of international formalities appears remarkably realistic, hard-nosed, and devoid of ideologically inspired misperceptions. If many in the United States soon came to view China as a mere pawn of the Soviet monolith and hence as both illegitimate and potentially aggressive, the British viewed communism in China as a consequence of peculiarly Chinese circumstances. In regarding the new government first as Chinese and only second as Communist, the British also viewed recognition as one means of encouraging a Far Eastern Yugoslavia—a Communist China independent of Soviet control. Nor were the British, whose support for Chiang Kai-shek and the Kuomintang had always been minimal, faced with a problem of Taiwan. They were, however, anxious to preserve the British colony of Hong Kong and to maintain its entrepôt role. Because the British colony

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was militarily vulnerable and dependent for much of its sustenance on supplies from the mainland, America's ally saw recognition as a necessary means to service its colonial interests. Finally, believing that communications provide at least a potential possibility for influence, the British saw recognition as the only means of encouraging reasonable treatment of British assets in China and of maintaining trade between the two countries.

The considerations leading to Great Britain's early decision to grant recognition to China and the high points of Sino-British relations between then and now are discussed in fascinating detail by Dalhousie University's Robert Boardman in *Britain and the People's Republic of China 1949–1974*. In an analysis that is remarkable for its balance, common sense, and objectivity, Boardman traces the strains that developed between the United States and Great Britain over the formation of SEATO, the constraints on trade between Britain and China after 1949, British attempts to open informal contacts between the United States and China following the first offshore islands crisis, the evolution of British support for seating the People's Republic of China in the United Nations, the refusal of the British Foreign Office to succumb to popular demands for retaliation against China following Cultural Revolution excesses against British subjects and property, and the ultimate normalization of relations between China and Great Britain in 1972. For the American reader, the value of the book is not merely its recapitulation of the considerations governing Britain's China policy but also the light it sheds on the possibility of missed opportunities in our own relations with the People's Republic of China.

If the recriminations fostered by the McCarthy era were not sufficient to preclude accommodation between the United States and the People's Republic of China, the Korean War most surely was. Despite periodic contacts between the two countries first in Geneva and later in Warsaw, and despite a growing impetus toward accommodation during the Kennedy and Johnson years, it was not until the Shanghai communique of February 1972 that any significant moves toward normalization were made. That Great Britain, despite its early recognition and continued contact, was not able to exchange ambassadors with China until after the Shanghai communique suggests that the recent detente between China and the West is as much a result of the changing attitudes of Peking as of changing perceptions of China by the West. Boardman has thus provided not only an excellent analysis, but food for thought as well.

ANNE F. THURSTON
Fordham University

Communism in Italy and France *edited by Donald L. M. Blackmer and Sidney Tarrow. Princeton, N. J., Princeton University Press, 1975.—xiv, 651 pp. $25.00.*

American scholars made their peace with West European Communist parties during the 1950s when they came to realize that the parties had apparently achieved a

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stable niche within their respective countries. The two largest West European Communist parties, the Italian and French, no longer appeared to pose an insurrectionary threat, and although quite successful at the electoral game, they seemed to have little chance of reaching power through electoral and parliamentary activity. (The vote totals of the two parties remained remarkably stable in parliamentary elections for the past thirty years, hovering between more than one-fifth and less than one-third of the popular vote.)

Yet large changes, hardly visible from superficial indications, were occurring throughout the period and the results have erupted into newspaper headlines in the recent past. Professors Blackmer and Tarrow stayed ahead of the headlines in their previous volumes on international and domestic aspects of the Italian Communist party, and they continue to do so in this superb volume of essays. An introduction by Blackmer suggests the complexity of the two parties and the need to go beyond the usual generalization that they have shifted from a totalitarian to a revisionist or integrationist stance (with the Partiti Communista Italiano [PCI] leading the Parti Communiste Français [PCF]). In an attempt to transcend such oversimplifications the editors commissioned papers focusing on change and continuity within the two parties; the parties' elected officials; local organizations; and domestic alliances with trade unions, social groups, and other political parties. The result is a study that goes well beyond what has previously existed to delve into the inner workings of the two parties.

That the two parties have substantially changed is generally agreed. Yet differences exist among the authors on the extent and character of the changes. Ronald Tiersky and Annie Kriegel stress certain continuities in the PCF's oppositionist stance, while Georges Lavau contends that the PCF has been transformed into a tribune party defending the discontented within France—and thereby indirectly legitimating the established political system. (Both Lavau and Kriegel unfortunately add little to their previously published work; moreover, Kriegel fails to use the opportunity to rectify her earlier misinterpretation of Georges Marchais, whom she described as representing a return to orthodoxy after Waldeck Rochet's effort to develop a new road for the PCF.) Possibly as an indirect testimony to the relatively more open character of the PCI, the essays devoted to it seem more illuminating.

Tarrow's magisterial conclusion attempts an overall comparison of the two parties. He asserts that their initially similar strategies for achieving socialism diverged since 1945 under the impact of the differing historical heritage of the parties and countries; the two countries' differing socioeconomic and political setting since World War II; and contrasting organization, leadership, and constituencies of the PCI and PCF. Tarrow's essay weaves into a rich tapestry the variegated elements affecting the two parties' relationship to their societies. I am more inclined to place the accent on the similarities between the two parties' strategies rather than the differences (with the trend apparently toward greater convergence, not divergence). The two parties appear to have achieved a strikingly similar position between support and opposition within their respective societies (as well as within the international Communist movement, a subject not treated much in the volume).

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Although the book tells us much about the political road the parties have traveled to achieve the substantial power they now hold, I did not find help in pondering such substantial questions as the impact of the two parties on the economies and societies of their respective countries, how they have affected the distribution of benefits received by their constituencies (particularly the working class), and what their impact (if any) has been on government policies and capitalist development in France and Italy. (The excellent essays on Communist local governments and organizations by Peter Lange, Denis Licorne, and Jerome Milch, and the two parties and trade unions by George Ross and Peter Weitz are suggestive but address only a few aspects of the question.)

Beyond PCI and PCF past achievements looms another specter that is mostly ignored in this important book. Given the increasing likelihood that one or both parties may gain a share in governing coalitions, to what extent (and how) might they pose a serious alternative to contemporary capitalism? Taking this question seriously requires a focusing not on the mechanics of how the parties have attempted to achieve power but on the substance of their policies and how they might exercise power. And, in ironic contrast to the usual comparison of the two parties which denigrates the PCF to the advantage of the PCI, it is the former party that may lead the way here.

MARK KESSELMAN
Columbia University

Portugal: The Last Empire *by Neil Bruce. New York, Halsted Press, John Wiley & Sons, 1975.—160 pp. $8.95.*

This small book contains an apology for Marcello Caetano and Portuguese colonialism in its last years and a summary of events in Portugal and its now liberated African colonies during the first six months after the April 25, 1974, coup. The treatment of the first topic is especially frustrating, because much of its message is presented through innuendo and omission rather than by direct assertion. With regard to Africa, Bruce claims that rapid progress was being achieved in benefit of the people of the colonies (or "territories" as he regards them), while the liberation movements in the three major colonies were small, militarily ineffective, and restricted in each case to a particular ethnic group and opposed by other ethnic groups. Bruce says that the Caetano regime in Portugal itself was remarkably progressive in comparison to its predecessor and that opposition to it was small.

Prime Minister Caetano's recently published memoirs belie Bruce's claim that he was a man of liberal intentions hamstrung by his reactionary president, Admiral Americo Thomaz. Bruce, however, regards the freedom to criticize the government in public cafes, which became general under Caetano, as a significant victory for civil liberties. He dismisses the roots in Portugal of opposition to the Caetano regime as being restricted to intellectuals and parts of the army—ignoring the increasing militancy of working-class opposition which had won an eight-hour day for farm workers and significant concessions to the trade union movement in a so-

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ciety where demands for such reforms were automatically defined as opposition to the regime.

Portuguese administrators claimed that reforms in the African colonies during the last years of colonial war were undertaken with benevolent intentions, and Bruce appears to accept those claims, for he frequently quotes them without comment. But they can only be regarded as conscious efforts to shore up a dying colonialism. The forced concentration of Mozambicans into *aldeamentos* (modeled after strategic hamlets in Vietnam) was undertaken, he believes, to provide their residents with "protection" and "health, social and recreational facilities" (p. 83). He believes that the ban on political parties and handpicking of candidates "might have altered" peacefully in the colonies (p. 101), but he offers no evidence for his view, and there is no evidence that any Portuguese rulers were seriously considering it. He fails to mention the now-verified massacres of noncombatants in Mozambique, and even cites, without irony, the campaign to "conquer the hearts and minds of the local people" (p. 93).

He systematically downgrades the strength of the liberation movements (always called "liberation movements" in quotes). His repeated assertion that the PAIGC of Guinea-Bissan and Frelimo of Mozambique represented only minority ethnic groups has since been disproved by the success of these two movements at organizing their now independent countries. He claims that during the war in Angola "the cities . . . were never affected" (p. 77); while this may be true militarily it ignores the political successes of the MPLA in transcending ethnic loyalties and organizing civil servants and workers in Luanda. His attitude is perhaps best represented by his statement that "Mozambique had one great advantage over Angola when hostilities broke out in 1964: Portugal had been able to learn valuable lessons from the fighting in Angola and Guinea" (p. 78). Most observers, whether or not they sympathized with African liberation, would regard this as an advantage for Portugal rather than for Mozambique.

Bruce's treatment of events after the coup which unseated Caetano is merely a descriptive summary; moreover, it is marred by a succession of minor errors: he misspells many Portuguese names, mistranslates the names represented by some political acronyms, denies the existence of right-wing parties (several of which were founded within three months after the coup), misrepresents the size of the Communist party and of the Coordinating Commission of the Armed Forces Movement, and gets the dates wrong in describing the sequence of events leading to Spinola's resignation on September 30, 1974. But his analytical omissions are even more important than his factual errors: he does not mention the relations between the Armed Forces Movement and the civilian opposition before the coup. He attributes the difficulties of the early months to the vague definition of lines of authority more than to political conflicts. In discussing the Armed Forces Movement's program he does not mention its (admittedly vague, but widely discussed) "antimonopolist strategy."

Bruce's summary chapter is devoted to the problems and uncertainties Portugal and its former colonies faced in the fall of 1974. The discussion of Angola accurate-

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ly foreshadows the subsequent internecine hostilities there, but predicts them merely on the basis of ethnic conflict without discussing political differences between the movements or anticipating the role to be played by foreign intervention. And in accusing Portugal of sharing responsibility for Angola's troubles, he criticizes Portuguese policies during the six months after the April 25 coup rather than during the previous five centuries. The discussion of the future of Portugal is merely a confession of his own ignorance, and fails to note easily foreseen economic problems. Bruce is not to be faulted for not having predicted the future accurately—he is hardly alone in that. But the first part of the book is rife with ideological distortion, and the second is limited to journalistic description and riddled with factual errors. *Portugal: The Last Empire* will not contribute much to our understanding of coming events in Portugal or its former colonies.

JOHN L. HAMMOND
Columbia University and
Center for Policy Research

Dissent in the USSR: Politics, Ideology, and People *edited by Rudolf L. Tökés. Baltimore, Johns Hopkins University Press, 1975.—xiv, 453 pp. Cloth, $15.00; paper, $4.95.*

As the traumas of revolution, civil war, social transformations, mad purges, and world war gradually sink into the dimness of history, it is axiomatic that the Soviet state may be expected to become less of a strange growth and more like most states of past and present, less revolutionary and less totalitarian, less unlike its tsarist predecessor. It has done so in various ways, including loss of messianic fervor, subsidence of economic growth rate, revival of the widespread corruption which characterized the old Russia, and the ability of sectors of the population, especially of the intelligentsia, more or less openly to express its alienation from the prevalent order.

The growth of dissent in the USSR is of particular interest for consideration of where the Soviet state is and how it is evolving. Not only did the Bolshevik movement originally grow out of a movement of intellectual dissent in tsarist Russia; the Soviet state, based on a political theory, may well be ultimately more vulnerable to intellectual erosion than the old regime. The stirrings of an intellectual counterelite imply a potential for political change.

Consequently, *Dissent in the USSR*, by twelve scholars and edited by Rudolf Tökés, is welcome and useful. There have been numerous articles and countless journalistic reports of the activities of Soviet dissenters, but a book such as this can both bring together various writings and explore different aspects in more depth than previous publications.

The subject is a huge and amorphous one, because in the Soviet state anything outside the narrow range of the officially sanctioned is likely to be prohibited and oppositionist. Making no pretense of covering all varieties of dissent systematically, this work concentrates on the most publicized, the idealistic-intellectual. Religious dissent is

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treated by only one writer. The dissatisfaction of minority nationalities is touched upon only incidentally—regrettably, because ethnic separatism may well be crucial for the future of the Soviet multinational state. Workers and peasants are assumed, perhaps incorrectly, to be either satisfied or impotent.

The picture of intellectual dissent which emerges is inevitably somewhat fuzzy. The dissenters have nothing in common except dissatisfaction and the demand for rights, at least for themselves. Gayle Hollander seems most optimistic regarding their potential, arguing that it is not important if the nonconformist intellectuals are leaders without followers. As she summarizes, "Does the dissident network threaten essential elements of the Soviet tradition of political communication? Indeed it does" (p. 273). George Feifer, who is much the most felicitous writer in the collection, is the most pessimistic; he sees 99.9 percent of the educated withdrawing to their little private pleasures in passive hopelessness with no near-term prospect of change. Frederick Barghoorn, ably chronicling repression since Khrushchev, sees the state as neo-Stalinist and practically totalitarian, in contradiction to the view of the editor. Standing near the middle, Theodore Friedgut provides an excellent survey of the democratic movement on the basis of interviews with emigrés. Barbara Jancar finds the Baptists leading a potentially massive although disunited movement for religious freedom. Gene Sosin discusses a less familiar aspect, underground songs, few of which would be seen as oppositional in a less straitjacketed society. Peter Maggs finds Soviet adherence to the Universal Copyright Convention to have created no real new problems for foreign publication of Samizdat. Robert Slusser notes how uncensored writings are contributing to our knowledge of Soviet history. A recurrent theme is the importance for the dissenters of foreign support and communication through foreign radio broadcasts.

In such a collection of twelve writers on one broad subject, there is inevitably considerable overlap. Some contributions seem rather perfunctory, as though simply produced in response to an invitation. There is a certain amount of methodological scholasticism and pretense of systematization, discussion of the problem of discussion of the problem [*sic*] of dissent, which detracts from the substantive material. There is little historical perspective, although it is noted (by Hollander) that Lenin introduced censorship two days after coming to power; the book covers almost exclusively developments since dissent began to resurface after Stalin. But despite such peccadillos, Tökés has put together a useful and informative book which adds to our appreciation of the reality of Soviet society behind the carefully papered façade. Authentic Russia may speak as much through unofficial as official voices. It is a sign of change; a decade ago no such book was conceivable. And it is a portent of more change.

ROBERT G. WESSON
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The Revolutionary Ascetic: Evolution of a Political Type *by Bruce Mazlish. New York, Basic Books, 1976.—viii, 261 pp. $11.95.*

Mazlish begins by asserting that "there is no such thing as 'the revolutionary personality' " (p. 3), and then proceeds to resurrect, if not this personality type itself, at least

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its ghostly alter ego: "Having asserted that there is no such thing as a 'revolutionary personality,' we now maintain, however, that there is a cluster of [ascetic or puritanical] traits . . . which bears investigation as possibly appearing with unusual frequency in the personality of revolutionaries" (p. 4). This cluster of traits is next given a Weberian sociological form and a Freudian psychological content. Weber's *The Protestant Ethic and the Spirit of Capitalism* is reformulated as "the ascetic ethos and the spirit of revolution" (p. 11); and the revolutionary *geist* is viewed as consisting of "displaced libido, masochism, sadism and narcissism" (p. 212). Form and content are then united in the "thesis, crudely put, . . . that revolutionary asceticism becomes more and more prominent and more and more functional as we move toward more modern, conscious, and professional revolutions" (p. 11). Finally the "theoretical assertion" is "tested and illustrated by appeal to the historical record" (p. 43). That is, the reader is presented with a chronologically arranged portrait gallery of more-or-less ascetics, from Cromwell through Robespierre to Lenin and Mao Tse-tung. From this presentation we presumably gain an understanding of "some of the ways in which human character and historical circumstances intertwine" and, at the same time, "a more 'human' comprehension of some who have aspired, for many and complicated reasons, to lift their fellow men and women to new heights, and sometimes, in the process failed to understand what was deepest in themselves and their followers" (p. 221).

Mazlish's character studies are not entirely devoid of insight, although many of his observations are familiar or obvious. But like certain others who have applied psychoanalysis to politics, he sometimes uses psychoanalytic concepts as covert value judgments; and on at least one occasion, he treats his own free association as if it were a textual connection. He cites Gorki's recollection that Lenin once remarked, "nowadays, you mustn't stroke anyone's head, you'd get your hand bitten off" (p. 140). He mentions another incident, in which Lenin commented upon the cruelty engendered by the bourgeois epoch at a moment when he was "caressing some children" (p. 141). Mazlish then combines the two occasions into one by asking us to consider the meaning of Lenin's "fear of being bitten when he caressed the heads of little children. . ."! Condensation is a legitimate form of dreamwork and of poetic license; but one expects the interpreter to analyze such condensations, not create them.

Leaving aside what we might learn about the author from such a parapraxis, or from such blatant psychologisms as "revolution itself became the deep therapy for Lenin's nerves" (p. 141), a more important point is that Mazlish cannot conceivably "test" his hypothesis in a study of this kind. First, any such test would involve a sophisticated sampling of revolutions and revolutionary participants, with the aim of demonstrating a concomitant variation of asceticism and characteristically modern revolutions. But a portrait gallery, no matter how it is arranged, is not a scientific sample. Second, according to psychoanalytic theory, some sadomasochism, narcissism, and displacement of libidinal cathexis is inherent in human nature. Mazlish would therefore have to provide a measure of these qualities if their relative intensity is to differentiate between types of revolutionaries, or between revolutionaries and other persons. No such measures are provided, with the consequence that his apparent judgments concerning the degree of asceticism of this or that leader are actually intuitions and assertions.

In other words, Mazlish's hypothesis is neither tested nor demonstrated in the course

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of the inquiry. One might therefore think the study was designed to *develop* his conception. But the "revolutionary ascetic" is an ideal-type which has been constructed a priori: it passes through the literary remains of the historical world unaffected and without effect. Theoretically, we know nothing more at the end of the inquiry than we knew at the beginning. Hence the value of the work lies in such "human" comprehension of individual leaders as Mazlish is able to generate from his construct. An understanding of how "character and historical circumstance intertwine" would, however, have been of substantially greater value.

EUGENE VICTOR WOLFENSTEIN
University of California, Los Angeles

Patterns of Political Leadership: Lebanon, Israel, Egypt *by R. Hrair Dekmejian. Albany, N. Y., State University of New York Press, 1975.—xi, 323 pp. $20.00.*

Studies of political elites are expected to offer an insight into the formation of such elites by relating their social bases of power, their cultural and ideological orientation to their subsequent political behavior. The objective is to understand the underlying reasons that drive certain leaders to opt for a particular course of action or to adopt a specific political stance. The purpose of delving into the past is to provide certain pointers for the future. Such factors as family background, early education, political association, and profession chosen, normally determine the leaders' attitudes, outlook, and, above all, their desires and aspirations. Professor Dekmejian is well aware of the importance of elite studies; in his introduction to this study of leadership in three diverse societies with little in common as political communities except their geographical location, he warns that "negligence of the study of political leadership might well be to our peril" (p. 1).

However, both his account and his analysis add little to our knowledge and less to our understanding of either the underlying causes that prompt a certain course of political action or the factors that influence and shape the opinion of political leaders in the three countries. He does not distinguish between the relative weight and importance of those who may hold the same position but wield less power, or those who may appear permanently in power and yet simply stand idle in the shadow of a powerful boss. The author has concentrated his effort on compiling some useful and some irrelevant data about social background, characteristics, recruitment, and circulation, part of which is presented in incomprehensible diagrams. He fails to relate these to the leaders' attitudes and behavior in their respective countries, pleading scarcity of data. Thus we are left ignorant of the impact of Nasser's association with the Young Egypt Society, or of Sadat's with the Muslim Brethren, or of the Israeli leaders with Irgun or the Palmach, or of Franjiyyah with the local feuds of Zgharta, etc. Being members of the military establishment in two completely different political cultures like that of Egypt and Israel is not really significant for Nasser; his collaborators as well as his successor have been a peculiarly Egyptian phenomenon. Israel's political leadership, however, amounts to a new experiment in elite formation as well as nation building. In

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Egypt the officers came to power as a result of a conspiracy and a coup, while in Israel the officers have to undergo a civilianization process before they emerge as the country's political leaders. The comparison becomes a futile exercise, if only because of the cultural divergence between the two countries.

This divergence becomes more glaring in Lebanon, where the fragmented social structure has been institutionalized in the conduct of national affairs. Under such an arrangement a shared economic interest does not produce a political polity. A feature of the Lebanese political leadership has been its patrimony, which has led to the emergence of new and radical political leaders who do not subscribe to the traditional patron-client relationship, and who have utilized the presence of the armed Palestinian guerrillas to challenge not only the predominance of the Christian position in the country but also to defy the hegemony of the Muslim political leaders. It was this development coupled with the imbalance in favor of the Naronite Christian president rather than the external threat that weakened the ability of the Lebanese leadership in crisis management. The author is patently wrong when he asserts that the failure of the Lebanese leadership is to be associated with "renewed prominence and independence of the army in Lebanese politics" (p. 100), as recent events have indicated. Dekmejian has made a brave attempt but, unfortunately, he has not been successful.

ABBAS KELIDAR
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Stresses in U. S.-Japanese Security Relations *by Fred Greene. Washington, D. C., The Brookings Institution, 1975.—ix, 110 pp. $2.50.*

Japan's Nuclear Option: Political, Technical, and Strategic Factors *by John E. Endicott. New York, Praeger Publishers, 1975.—xvii, 289 pp. $20.00.*

These are the two latest additions to a growing volume of works on contemporary Japan. They are alike in that they both deal with Japan's security problems in essentially similar ways. Greene's is a smaller book and gives a quick rundown of major aspects of United States-Japanese security relations, while Endicott gives a more detailed analysis of Japan's nuclear options. But the two authors come to almost identical conclusions: that Japanese security will continue to depend on the alliance system with the United States; that the Japanese will long resist the temptation, even if justified by objective circumstances, to acquire nuclear weapons; and that they will in the meantime concentrate on peaceful development of atomic energy.

These conclusions are judicious but hardly surprising. They will be familiar to anyone who has followed Japan's public debate on national security matters. One merit of these books is that they take the debate seriously, introducing representative samplings of Japanese thinking since the 1960s. In fact, Greene and Endicott often cite the same Japanese writers, using identical sources—an indication that the

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authors consulted a fairly narrow range of material, mostly in English translation. Greene and Endicott also treat Japan's domestic politics as an important ingredient in policy making, again an uncontroversial point. There is very little that is new at this level of analysis.

Since the two books deal essentially with the same subject, it would be unnecessary for most readers to consult them both. Greene's book provides a more compact summary of all important questions bearing upon national security matters, and it is a reliable guide to key data. Endicott gives a more thorough analysis. While his treatment of Japanese opinion and politics is excessively detailed and at times bland, he does present a thought-provoking analysis of various nuclear options that are open to Japan, at least theoretically. He gives a careful estimate of Japanese production of plutonium, enriched uranium, delivery systems, and the like, in the coming decades, and discusses the options (such as tactical defensive versus strategic defensive) which the country will have by 1985. Here is a very precise discussion on Japan's technical capabilities, which Endicott finds far more considerable than is usually supposed, but even in a purely speculative analysis he argues that Japan's chances of developing reliable nuclear capabilities, designed to deter China or the Soviet Union, are extremely limited. He would recommend, instead, that Japan's best safeguard would lie in the development of nonnuclear defensive systems, in particular the laser antiballistic missile.

Useful as these books are, they also suffer from their contemporaneity. It may be no accident that each author keeps referring to his book as "this paper." Like conference and symposium papers, the two books are filled with pertinent data up to date as of the moment of writing (1974 in both cases), but which are no longer so current by the time the books are published. Events since 1975—American withdrawal from Indochina, President Ford's New Pacific doctrine, the death of Chou En-lai and the eclipse of Teng Hsiao-p'ing, the Lockheed scandal, etc.—have introduced a new set of variables into the picture. Most important, security in the conventional sense has become less and less important for advanced industrial countries, including Japan. Instead, the key issue has been that of achieving an equilibrating relationship with developing nations, in particular those with rich deposits of mineral resources. United States-Japanese relations are likely to be conditioned far more by their ability to coordinate economic policy and "resources diplomacy" than by conventional security questions. Japan's belated ratification of the nuclear nonproliferation treaty—an event not anticipated as an immediate prospect by either author—seems to indicate the country's commitment to a continued low military posture.

Both Greene and Endicott recognize the relevance of economic questions. But these issues are raised only tangentially and not related sufficiently to the discussion of national security. But security, after all, is a perceptorial phenomenon, a product of what the Japanese perceive to be the international system. Greene is certainly right in advocating further consolidation of American-Japanese ties as a political step; appearance of cooperation is often as important as substance, and such ties will serve to solidify the perception of United States-Japanese cooperation as a foun-

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dation of stable international order. Even this, however, will have to be supported by tangible evidence of economic benefits accruing from such cooperation. Now that these books have provided competent analyses of Japanese security policy, it is to be hoped that others will write equally penetrating and comprehensive accounts of economic policy.

AKIRA IRIYE
University of Chicago

Chinese Socialism to 1907 *by Martin Bernal. Ithaca, N. Y., Cornell University Press, 1976.—vii, 259 pp. $15.00.*

Was there a Chinese socialism before 1907 that is worth a sizable monograph? This book leaves the question open, not because Bernal has written a weak book, but rather because his conclusions seem to require further amplification. This is the first installment of a projected three-volume history of Chinese socialism before the May Fourth (1919) movement. The persuasiveness of the first volume depends to some extent on what Bernal plans to tell us in the next two, and also on what he does not plan to discuss—Chinese socialism after 1919.

Bernal's data are rich. He has ransacked the literature in Western languages, Chinese, and Japanese sources and unearthed far more than anyone else who has worked in the intellectual and political history of the 1895–1907 period. (Like others, however, Bernal has decided that the essence of the subject is to be found in two journals of the time, the *Hsin-min ts'ung-pao* and *Min-pao*; see Chapters Six and Seven, which take up ninety pages and are the heart of his book.) Chapters One and Two are notable contributions, fresh and thoughtful. The first examines the traditional Chinese concept of *Ta-t'ung* (or *Datong* in the romanization system that Bernal prefers), which he translates as "Great Harmony" or "Grand Union." Here Bernal brings together a succinct survey of ancient ideas, their revival in the Ch'ing that culminated in the reform movement led by K'ang Yu-wei, and K'ang's exposure to Western ideas such as those he read in Bellamy's *Looking Backward*. Chapter Two examines other Western ideas that were introduced to China via a missionary journal which was especially influential in the 1890s. In these two chapters the variety of ideas, Chinese and Western, that made up the earliest Chinese notions of socialism are admirably set forth, and the broad but possibly stale questions the book poses in its introduction—"Is it possible for one culture to borrow from another?" "How much impact has the West had on China?" (p. 3)—seem on the way to having new life breathed into them by fresh hypotheses and new data. As Bernal progresses, these questions—and others of comparable weight and breadth posed on pages 6–7 about the relationships among early Chinese socialism, later Chinese socialism, pre-Leninist Marxism, and Leninist Marxism—tend gradually to fade from prominence and decreasingly determine the shape of the book. They are in evidence in Chapter Three, which focuses upon Sun Yat-sen's land policy and the Japanese followers of Henry George who influenced Sun; but this is perhaps the

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least original chapter, and it is marred by a contradiction between the "poor peasant origin" Bernal attributes to Sun (p. 64) and "Sun's urban point of view" that came not only from his adult experience in China and abroad but also from his birth and childhood in a "relatively urban county" (p. 60). If Chapter Four seems familiar it is only because in other writings Bernal has already told us much about Japanese socialism before 1906, its sources in the West, and its influence on the Chinese; it remains a fascinating and important contribution to scholarship. The next three chapters, about half the book, offer copious detail on Liang Ch'i-ch'ao, the *Min-pao* revolutionaries, and the debate between them. Much of the discussion is devoted to demonstrating the differences between Liang's pessimism and the revolutionaries' optimism, but it concludes with the view that the controversy reveals a "large number of common assumptions held by the two sides on the subject of social policies" (p. 185). The revolutionaries, Bernal suggests, were less revolutionary in social policy than in racial and political matters. They, and indeed, Chinese students as a whole, swung away from Western socialism and Marxism in late 1906 and early 1907. The final chapter argues that the Chinese swung toward both anarchism and "cultural conservatism." This "transformation" is seen partly as a "rejection of the West," but yet its "fundamental causes" were comparable trends in Russia and Japan (p. 223), and for another four years "a considerable number of advanced Chinese intellectuals believed that anarchocommunism was the essence of socialism" (p. 219). Although "the progressive consensus disintegrated" in 1907, "political radicalism became muted," and "interest in social democracy was dead at the center" (p. 9), the failure of early Chinese socialism is outweighed by "its long-term effects" (p. 225). These last, however, receive only a few lines in the last paragraph and in the introduction. For their full meaning we shall have to wait for volumes two and three and for further work on post-1919 Chinese socialism. The wealth of fascinating and valuable detail in this book does not yet establish any clear connections between pre-1907 and post-1919 Chinese socialism. And since the book raises many questions, implicitly and explicitly, about the importance of the pre-1907 movement in its own right, many readers will wonder why it deserves so much attention, as well as why there should be two more volumes on the 1907–1919 period. Finally, if pre-1919 Chinese socialism requires three volumes, how many will be necessary to write its history after 1919?

MICHAEL GASSTER
Livingston College, Rutgers University

Chile: Politics and Society *edited by Arturo Valenzuela and Julio Samuel Valenzuela. New Brunswick, N. J., Transaction Books, 1976.—xv, 399 pp. Cloth, $14.95; paper, $3.95.*

Two Chilean social scientists living in the United States have edited a book of readings which analyzes various aspects of the Popular Unity government of Salvador Allende. To their credit, the editors have focused on a central thematic issue and

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have selected articles that address this issue from a variety of perspectives. Their principal concern is outlined in the Introduction and further elaborated in the first essay by Arturo Valenzuela, "The Political Constraints to the Establishment of Socialism in Chile." At issue are the political and structural impediments to the Chilean transition to socialism as it was undertaken within the institutional framework which had existed for most of the century.

Following Valenzuela's essay, three articles focus on political parties and voting patterns. Robert Ayres writes on the long-term continuities in the Chilean electoral process. James Prothro and Patricio Chaparro discuss public opinion as related to electoral issues, using survey data to indicate that the Chilean electorate's move to the left was more apparent than real. The findings in both articles are used to predict that the Popular Unity would not attain its objective of a future electoral majority. Paul Sigmund's article then describes the political divisions and polarization of attitude which he sees as arising from the Popular Unity government's unwillingness to strike a compromise with the Christian Democratic party. The next five articles address specific economic and social sectors which have affected and been affected by the processes underway in Chile since the beginning of the century—and particularly by the policies of the Popular Unity government: Julio Samuel Valenzuela traces the historical development of the labor movement, while James Petras underlines the political importance of the diversity and differing alliances within the working class. Alejandro Portes elaborates on the political orientations of the urban poor, showing that their class consciousness arose largely from the political socialization which occurred in their work settings. Brian Loveman writes on the history of agrarian reform and reflects on the inadequacies of Popular Unity policies. Maurice Zeitlin and Richard Earl Ratcliff document the extent and implications of Chile's extremely concentrated economic wealth and the consequences of foreign economic penetration. All illustrate two underlying assumptions of the book: first that the Allende period represented a culmination of historical tendencies rather than a break in the continuity of Chilean political and social development, and second, that the acceleration of processes of economic and social transformation under the Popular Unity created considerable confusion and was itself a contradictory process.

The sixth and last article by Elizabeth Farnsworth, Richard Feinberg, and Eric Leenson describes a "constraint" which unlike those above was not a direct consequence of Chilean institutions and cultural forms—although in large part it was a product of the particular form that Chilean political and economic development took. They discuss the profound effect of the United States' economic and credit blockade against Chile.

The articles are competently written and the coverage is broad. Yet, given the editors' emphasis on the continuities and constraints affecting Chilean politics, it is somewhat surprising that the military is mentioned only in passing. It was the military, after all, with the underlying support of the United States and the Chilean economic oligarchy, which prepared the 1973 coup.

An important weakness of the book is that it is already out of date. The prob-

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lem is not only that all of the articles were written prior to the September 1973 military coup, but that none of them (except perhaps the last) explains how or why the "constraints" that inhibited Allende also combined to facilitate the military takeover. The book can be read as an illustration of the general problems of a transition to socialism within a traditional bourgeois institutional framework, but even so, the information provided is so specifically and extensively Chilean, that such generalization hardly seems to have been intended.

There would seem to be an implied assumption on the part of the editors and a few of the writers that the present military government represents only a temporary departure from traditional Chilean democracy. It cannot survive, Prothro and Chaparro assert optimistically in an epilogue, "unless it imposes active repression" (p. 109). To this reader in 1976, the "unless" is now quite inappropriate. Whatever emerges from the present tragedy in Chile, it is hard to imagine that the old political patterns will simply be resumed. After all, as the editors correctly insist, "It is not the Allende administration but the present military government which represents the sharpest break with Chile's past" (p. xii).

In the opinion of this reviewer the editors would have enhanced the value of their work had they not limited it to a discussion of why the Allende government could not really succeed in changing Chile. At issue now is why, how, and with what success the military government is rooting out the organizational and cultural bases of the long tradition of Chilean constitutionalism that Allende neither fully desired to change nor was able to turn to his purposes.

PATRICIA WEISS FAGEN
New College, San Jose State University

The Peruvian Experiment: Continuity and Change under Military Rule *edited by Abraham F. Lowenthal. Princeton, N. J., Princeton University Press, 1975. —xvi, 479 pp. Cloth, $22.50; paper, $6.95.*

Of the various reformist governments in Latin America in the early 1970s, the Peruvian is one of the few that remains, and it is thus of great interest to the political scientist. *The Peruvian Experiment* is an extremely valuable analysis of the reforms under General Juan Velasco Alvarado (1968–1975). Of course, the recent politics of Velasco's more moderate successor, General Morales Bermudez, could not be considered.

The Peruvian military's reforms have been varied and intricate, and have thus stimulated considerable controversy among a large variety of interested observers. This book captures the different perspectives in this debate. The editor, Abraham Lowenthal, has not yielded to the temptation to categorize neatly a complex set of reforms. Showing that the reforms became more radical between 1968 and 1975, Lowenthal's introductory article emphasizes that this reform "process" cannot be fitted into "conceptual boxes" (p. 21). He thus prepares the reader for the subsequent divergent perspectives of the new political system. Indeed, the three articles that consider the general nature of the system—the introduction by Lowenthal, the second essay by Julio Cotler,

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and the concluding contribution by Jane Jaquette—present distinct views. Lowenthal suggests that the new political organizations are rather independent of the military: they "may acquire interests, aims, and power of their own" (p. 43). In contrast, Cotler argues that the government, in part through its agency SINAMOS (National System for the Support of Social Mobilization) is "implementing a corporative model of political control" (p. 44), dominating all political organizations. Jaquette presents an interesting third view. She perceives a political vacuum and stresses the military's difficulties in building any kind of institutions (pp. 434–437). Analytical tensions among these various models of the new Peruvian politics appear in and between other articles. For example, examining agrarian reform policy, Colin Harding stresses the importance to the radicalization of the reform of independent peasant pressure, pressure supported but not controlled by SINAMOS, whereas Susan Bourque and David Scott Palmer perceive a limited reform effort, facilitated in part by government control of the peasants through SINAMOS.

Given the difficulties of general theoretical analysis of the new political system at this stage, most of the articles wisely aim to calculate the amount and direction of change in specific government policies under Velasco. The articles reflect the depth of the authors' knowledge, gathered in all cases through intensive research in Peru. Most contributors find considerable change since 1968, which has been positive for less advantaged socioeconomic groups. Exploring thoughtfully various aspects of policy toward Lima's squatter settlements, David Collier emphasizes that migrants have been aided by the granting of more land titles. Analyzing educational policy, Robert Drysdale and Robert Myers describe carefully the government's commitment to bilingual primary education in the Indian highlands, as well as its difficulties in reforming university education. After an especially thorough examination of policies toward direct foreign investment, Shane Hunt concludes that largely beneficial "new rules" have been initiated (p. 349). Peter Knight insightfully explains the development and major significance of the government's most innovative program, its new self-management structures for the work place. Not all the contributors find positive change, however; in a perceptive and methodologically precise article, Richard Webb reports "very little" change in income redistribution policies (p. 108).

The divergent views of the Peruvian military's reforms attest to their complexity and diversity over time and in different sectors, and also thereby support Lowenthal's vision of the reforms as an "experiment," tentative but bearing significant potential. The book superbly illuminates this multifaceted experiment.

CYNTHIA MCCLINTOCK
George Washington University

The Politics of Oil in Venezuela *by Franklin Tugwell. Stanford, Calif., Stanford University Press, 1975.—viii, 210 pp. $8.95.*

Franklin Tugwell confronts an urgent problem for the more and less developed countries: what is the possibility of using political power to make the economic

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rationale of multinational corporations for profit and growth compatible with the national interest? Tugwell's specific concern in Venezuela is "with the pattern of conflict and bargaining among the major contenders in the oil policy system, and with the ways this pattern has been shaped by (and in turn has shaped) the rapidly changing political process" (p. 1).

The book is concise and well written. After an intial chapter on the policy setting, the organization is chronological: Chapter 2 is on petroleum policy to 1958, and Chapters 3 through 6 trace the politics of oil in each succeeding administration. A fine conclusion then brings together some of the broader implications of the study.

Tugwell gives order to Venezuela's politics of oil by defining a central dynamic that has shaped the conflictual relationship between the government and the oil multinationals, namely, "degenerative instability." For Tugwell, its essential features are interdependence—"the host country needs capital technology, and managerial skills; the companies crave profits and access to raw materials" (p. 145); growing multinational vulnerability to host government demands as multinationals invest capital in extractive industries; and mistrust and uncertainty inherent in the concessionary system. The "willingness and the ability of the state to assert itself" (p. 146) determine the quality of the relationship. Such factors as "leadership, domestic politics, and conditions in the international market" (p. 146) in turn affect the state's ability to assert itself.

Tugwell's focus on the state is an important move beyond dependency theories which often minimize the role of national political institutions and emphasize only the overwhelming obstacles to development created by the penetration of developed capitalist economies. In his brief examination of petroleum policy before 1958, Tugwell makes clear that what royalties, taxes, and controls were forced on the oil companies depended in great part on the will of a particular administration and its skills at creating the power needed to bargain successfully. After 1958, what made possible Venezuela's "strategy of assertive experimentation" were "favorable political and institutional conditions" (p. 156). The autonomy that Betancourt had (given his strong electoral mandate, his success in building a coalition government, and the skills of Minister of Mines Pérez Alfonzo) was eroded by domestic political fragmentation after 1966. That oil policy did not spin completely out of control, but, rather, was reconsolidated, was due to international events, a relearning of old lessons by initially accommodationist President Caldera, and the 1973 landslide election victory of Andrés Pérez and Acción Democratica.

In creating bargaining power, the Venezuelan state was often limited by oil company control of information. Tugwell points out the difficulty of monitoring and controlling such multinational decisions as (1) setting the prices paid in Venezuela, (2) the amount of petroleum produced, and (3) the form of production, all of which could reduce taxable earnings in Venezuela. The knowledge needed to act against the companies was only gained by acting without it: "only forceful and admittedly experimental initiatives seemed to provide policy makers with an accurate sense of the range of choice available to them" (p. 147). This strategy of "assertive experimentation" was, however, always dependent upon oil company pow-

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er. The sources of this power and the techniques for exercising it—the politics of multinationality—are touched upon only lightly.

To what extent was state autonomy limited by the domestic political influence of the multinationals themselves? In the short run the oil companies were successful in using their economic levers to force the government to moderate its campaign to tax and control them. But in the long run, the government got its way: indeed the very way the oil multinationals resisted tax moves in 1966 so alienated domestic economic elites that they found themselves without the support of the Venezuelan private sector in 1970 when the government did push through important tax increases.

What implications does the Venezuelan experience have for the management of export dependency in other developing countries? What are the conditions for creating the political power needed to control multinational corporations? Such questions are largely beyond the scope of Tugwell's excellent case study. He does argue that the dynamic of "degenerative instability is a latent tendency to be anticipated whenever similar conditions occur in massive, foreign-controlled export dependency" (p. 146). But he does not ask whether there are certain special characteristics of the oil industry that make dependency management a greater possibility than in bauxite, copper, tin, bananas, sugar cane, coffee, etc. Nor does one country study of the politics of dependency management (and this is one of the few that have been done) allow us to understand the necessary conditions for a state to create the power and autonomy to exercise control over multinationals. Tugwell does, however, explore the importance of producer country agreements (OPEC, in this case) as conditions for national control. His discussions of assertive experimentation have broad implications for any country seeking to control multinational corporations. And above all, the book introduces serious consideration of the potential role of the state in changing the nature of *dependencia*.

KENNETH E. SHARPE
Swarthmore College

The Power of Nations: The Political Economy of International Relations *by Klaus Knorr. New York, Basic Books, 1975.—x, 353 pp. Cloth, $16.95; paper, $6.95.*

The increasing prominence of economic factors and issues in contemporary international relations suggests the need for revival of the tradition of political economy, a study that involves inquiry "into the bases, uses, and consequences of international power and influence, placing special emphasis on the interrelationship between power and wealth" (p. ix). In this expansion of his earlier *Power and Wealth*, Professor Knorr both solidifies his reputation as a first-rate political economist and satisfies our need for a thorough and up-to-date analysis of world affairs.

The author's scholarly virtues are impressive. He has a sure grasp of both politics and economics and of their blending in the real world; he understands departures from sheer economic rationality in the pursuit of political values. He is sensitive to consid-

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erations of the adequacy and reliability of evidence for his own views as well as those of others. Skepticism and caution discipline his work. He resists the fashionable tendency to assemble all international evils under such rubrics as "imperialism" and "exploitation." Knorr is a maker of distinctions; facile generalizations do not easily escape his critical gaze. True believers in the ubiquity and iniquity of neocolonialism, the promise of interdependence, the inveterate wickedness of great powers, and the constructiveness of foreign aid should avoid this book if they value the simplicity of their faith.

Some concepts Knorr puts to particularly good use, and some insights seem to be major contributions to our understanding of today's world. The author notes the "silent mechanism" (p. 10) of anticipation—the weak state's fear of possible attack or pressure, stimulated entirely by awareness of the existence of another state's superior power—which supplements the use and threat of force to turn power into influence. Thus, great powers may exercise influence without even being aware of their impact. Knorr's appraisal of the automatic effectiveness of superior power is balanced by his emphasis upon factors that take the profit out of coercion. He gives serious attention to the international normative environment, which today tends to condemn great-power bullying, and to the domestic attitudinal complexes of the states constituting the Third World and the industrialized West. In the former, he finds political scar tissue deriving from the age of colonialism that is exceedingly tender to the slightest touch of foreign domination. In the latter, he observes "the decomposition of the military ethic" (p. 114) and a decline of the will to use power, phenomena that not only reduce the probability of power abuse but actually diminish the supply of putative power, given the significance of will, in the power formula. Adding up the world's normative revaluation of force, the growth of a sense of international justice, the heightened sensitivity of small states to bullying tactics and their greater capacities for self-assertion, and the erosion of the political basis for military strength in the affluent Western societies, Knorr concludes that "the costs of using power have risen, and its effectiveness has decreased. The world has become less coercible" (p. 318). He applies much the same analysis to economic power, suggesting that the governments of developing countries are increasingly capable of holding their own—or better—in dealing with multinational corporations, that private investments are becoming hostages of host governments, and that, in patronal leadership situations clients sometimes exploit patrons.

Knorr is well aware of the persistence of drastic inequalities among states and of the difficulties and dangers stemming from them. He emphasizes that the deterioration of the political and cultural conditions required for the generation and exercise of great power is limited to the advanced democratic-capitalist countries of the West (and Japan), that this change is reversible, and that it has been accompanied by the rise of a normative commitment to violence in the name of justice within national societies that could easily escape into the international arena. His sober judgment is that "if the acceptance of fairly severe restraints on the use of international force remains limited to this set of countries, the effect on the behavior of the global system will be modest" (p. 325). Such a situation might encourage other states to employ military force in pursuit of their goals.

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This is certainly a massive understatement—the effect would be, not "modest," but disastrous. There can be no greater threat to the world than that posed by asymmetrical aversion to violence, by a maldistribution of pacifism in which the excess is on the side of the peoples most devoted to humane values. The spread of the tendency to justify violence for the achievement of what is regarded as justice is a fact; witness the triumph in the United Nations of the view that the legitimacy of force depends not upon its defensive function but upon the multilaterally determined worthiness of the cause that it is alleged to promote. Moreover, Knorr seems to forget about the Soviet Union when he speculates about the effects of the West's growing distaste for power politics. He does not include the Soviet Union among the countries that have undergone changes reducing their capacity and propensity to dominate, but neither does he confront the full implications of that exclusion. Knorr's own logic supports the view that the division of the world into reluctant and enthusiastic, inhibited and uninhibited, practitioners of power portends crisis.

Perhaps his notion that this situation may represent modest progress toward world order betrays a Western—or American—defensive preoccupation. He concentrates on providing evidence that the West is unlikely to abuse power in the future. That is what the world wants to hear. But the world may need to be told that the trend in the West carries more peril than promise. Knorr is correct in pointing out that Vietnam taught the United States a negative lesson about the utility of coercion. Vietnam, however, taught others a positive lesson on that subject. In the light of the international normative trend toward the sanctification of violence in support of "good causes," what is happening in and to the West seems unlikely to promote the development of a world order in which what Knorr calls nonpower influence will prevail.

INIS L. CLAUDE, JR.
University of Virginia

The Political Economy of Africa *edited by Richard Harris. New York, Schenkman Publishing Company, 1975.—x, 270 pp. $15.95.*

"Political economy" has become the current fad phrase in comparative politics, particularly in analyses of the Third World. As the elaboration of an alternative approach, the terminology is welcome, in fact long overdue. Unfortunately, all too often the terminology fails to go beyond the fad.

Two major challenges to the dominant paradigms in the study of the former colonies have arisen in recent years. Increasingly sophisticated data collection has highlighted the inability of the modernization literature to explain events in the Third World. At the same time, a generation of Third World scholars, studying their own countries, has accelerated the search for alternative theories. Much of this challenge has turned to the Marxist literature for insight, with some scholars more willing than others to adapt the approach to the twentieth-century situation.

The modern political economists of underdevelopment are largely concerned with explaining the persistence of poverty, despite apparently extensive development pro-

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grams. For their explanations, they look not to the institutional, functional, or cultural factors that predominate in the modernization literature, but to the organization of world capitalism, to class structure within Third World countries, and to the interrelationships between external dependence and internal stratification.

In that context, this book is a welcome addition. Richard Harris provides a general overview of the relevant theory, drawing heavily on the work of Andre Gunder Frank. The other authors then apply the theory, with differing success, to Ghana (Emily Card), Nigeria (Barabara Callaway), Kenya and Tanzania (Lionel Cliffe), Zambia (Dennis Dresang), and South Africa (Martin Legassick). The strongest chapters, those combining a sophisticated understanding of the relevant methodology with careful attention to theoretical implications and evidence, are those by Card and Legassick. Though less substantial, the other country chapters provide useful introductory readings. Since for the most part the chapters are clearly written, this book ought to serve well in an introductory study of Africa.

Using fashionable terminology, however, is not the same thing as developing an alternative methodology. Although the discussions of Ghana and South Africa are informed by the theoretical departures from the mainstream outlined in the introduction, the sections on Nigeria and Zambia are largely insightful historical summaries and chronologies, relatively sound in terms of the dominant paradigms, but not at all the "protest and . . . alternative to the conventional Western social science literature on Africa" promised by Harris in his Preface (p. vii). This alternative approach is not simply the inclusion of a brief survey of the economy in a political institutional discussion of a particular African state. Nor is it characterized solely by the recognition that some problems faced by African states have colonial and external origins. What is involved, rather, is the elaboration of an integrated theory that takes internal patterns of production, external markets and manipulations, political recruitment, ethnic antagonism, and class conflict all to be dynamically related to each other. That elaboration requires the development of an alternative (nonpositivist) methodology. Far too little of this book is concerned with either that theoretical elaboration or that development of methodology.

A second problem stems from the book's lengthy gestation period. The volume has been advertised for several years, and most of the papers have been circulated in duplicated form for at least that long. The results of this delay in publication are the inclusion of some very dated material (a relatively minor problem, though unfortunate for classroom use) and an almost complete lack of attention to the political economy literature of the last several years. This is a serious flaw, since the theoretical work has progressed far beyond Gunder Frank's early writings, and since there have appeared recently very well done studies at national and subnational levels. The theoretical contribution of the volume is further weakened by the lack of comprehensive index and bibliography; a selected bibliography of relevant theoretical works would have been especially helpful.

In short, Harris and his colleagues have provided a useful beginning to the study of the political economy of Africa that would have been very striking a few years ago. Its major value lies in its readability and suitability for classroom use. That value is reduced, however, by the extent to which this book has been surpassed by more sophis-

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ticated analyses that are much more systematic in their attention to alternative theory and methodology.

JOEL SAMOFF
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The International Politics of Natural Resources *by Zuhayr Mikdashi. Ithaca, N. Y., Cornell University Press, 1976.—214 pp. $12.50.*

Reluctantly, political scientists are beginning to explore the interactions between economic and political systems—domestically and internationally. The fact that most American political scientists know far more about electoral behavior than about the bureaucratic politics of the Treasury Department is only one indicator of how far we still must go before political economy and political science are on meaningful terms with each other. But it has been specialists in international relations, especially those most intimately aware of political analysis being done by Third World intellectuals, who have been in the forefront in developing tools and concepts with which to study connections between economic power and resources and political power and resources.

However, until political science does develop ways of handling political economy, it is left to researchers from other disciplines to provide us with studies. In this instance a professor of business administration, Zuhayr Mikdashi, is performing this useful function. Yet reading his new volume makes one all the more aware of how much economists and administrative analysts need colleagues curious about and trained to analyze distinctively political dimensions of such phenomena as resource bargaining and trading between nations. What one misses throughout Mikdashi's study is an analytical accounting for the dynamics of power and influence.

The book sets out to differentiate between the various commodities that are the major trade items between Third World nations and industrialized nations. Underlying the entire discussion is a concern for the optimal development strategy and the diplomatic expression of that strategy for Third World governments. The determining condition of the world's weaker and poorer nations is that they must rely on the export of raw materials to industrialized states and must import processed goods. This places them at a basic disadvantage in international trade and political negotiations and it all too often frustrates or distorts their respective domestic programs for development. But, despite this fundamental shared condition, Third World countries differ according to what particular raw material provides them with most of their national income. Mikdashi explores both the nature of the shared condition and possible policy remedies for it and the intra-Third World differences based on contrasting commodity dynamics. That is, Guyana and Papua New Guinea have critical common problems, but it is important in weighing policy options to understand that bauxite and copper impose different limitations diplomatically and economically on their producers.

In one of the most useful chapters Mikdashi differentiates between the several commodity producer associations that have been created by governments hoping that in joining forces they can assert greater control over the international prices of their commodity. At bottom, the analytical question is: Can OPEC be imitated? Mikdashi

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suggests that "OPEC-ization" is not a likely prospect, though in some commodity areas producers' associations are increasing exporter governments' leverage. What one constantly looks for, but does not get enough of, is an explicit conceptualization of the differences in political potential across commodities. The stuff of such analysis is there but is not exploited. For instance, taking Mikdashi's own information, one could draw up a spectrum of power for commodity producer associations. At one end would be OPEC; next would be CIPEC, the copper producers' association; while at a point close to the opposite end of the power spectrum one would find UPEB, the Union of Banana Exporting Countries. This chapter only whets a political scientist's desire for more elaborate and explicit analysis; thus one would hope that there will soon be comparative political investigations of CIPEC and OPEC, UPEB and ITC (International Tin Council).

Two omissions are particularly striking in this book. First, perhaps because of the diplomatic model that is implied, producer and consumer countries are treated as monolithic. One would have found helpful some indication of whether and along what lines governments are divided in their approaches to commodity trading and development planning. At least a brief acknowledgment of the bureaucratic debates within governments is needed for a realistic sense of the dynamics of commodity politics. Second, no mention is made of labor as an interested party in commodity-producing countries. The negotiators that the author describes are international agencies, national regimes, and private enterprises. But surely mine workers in Zambian copper mines and agricultural laborers in Guatemalan banana plantations have a stake in the international politics of natural resources.

The book concludes with several policy proposals aimed at augmenting the development potentials of raw material exporting governments. Although there is some discussion of ways in which Third World countries can extend their control of their own commodity production and development, the author seems to place his faith in increased foreign investment as the key to Third World development. Because the earlier chapters are not strong in their conceptual underpinnings, these later policy recommendations appear rather disconnected from the bulk of the book. This is a volume that political scientists should find useful in terms of specific information, but they should be dissatisfied with its weak analytical structure—dissatisfied enough to take steps to explore the dynamics of political economy.

CYNTHIA H. ENLOE
Clark University

Yearbook of the United Nations, *1972 by the Office of Public Information, United Nations. New York, United Nations, 1975.—xiv, 935 pp. $35.00.*

This is the twenty-sixth volume of the U.N. Yearbook series, indispensable as always for the person seriously and deeply interested in the work of the organization. This volume follows the pattern of its 1971 predecessor, with approximately the same allocation of space to its major subdivisions. In one important respect it is

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greatly improved. The print used for the documentary references is a vast improvement over that used in the 1971 volume, and since for the serious student, these sections are of great value, the whole volume is much more easily used.

The 1972 volume is some seventy-five pages longer than 1971, which probably reflects a somewhat larger amount of activity and documentation that needs to be summarized, as there is no obvious evidence of greater wordiness. The volume still is large (935 pages) and expensive to produce and buy. Considering the growth of the United Nations budget and the reluctance of governments to spend money for uses that appear limited, it is undoubtedly desirable that possibilities of reducing size and costs, consistent with maintaining the quality of the product, should be explored. This reviewer finds little to suggest. Some of the narrative accounts could be shortened, for example, by eliminating the detailed listing of the contents of resolutions that are subsequently given verbatim. Also, certain texts of resolutions with roll-call votes are repeated under different headings. But eliminating redundancies and repetitions would be a drop in the bucket. So long as the *Yearbook* is treated as a complete record of the varied activities of the United Nations, with listing of documents, resolutions, roll-call votes, and other relevant factual and statistical material, a volume of the size and cost of the 1972 *Yearbook* is unavoidable. It is only regrettable that a gap of three to four years between events and publication appears inevitable.

For anyone who has in the past come to think of the United States as a leading member of the United Nations, both in providing initiatives and in exercising decisive influences on decisions, perusing the 1972 volume, particularly the texts of resolutions on many important subjects, the lists of sponsors, and roll-call votes, can be a sobering experience. What a contrast it offers to the earlier days! On question after question, particularly on matters of colonialism, racial discrimination, and human rights, we find the United States, either alone or in company with a small number of mostly Western industrial states, in the minority position. If the United Nations reflects the world in which we live, the United States appears to be out of line with it. Or perhaps the United Nations as constituted at present is a distorted reflection of the actual world. In any case, the record of 1972 gives food for serious thought.

LELAND M. GOODRICH
Columbia University

REFERENCE BOOKS AND SOURCE MATERIALS RECEIVED

Caucus Minutes 1901–1949: Minutes of the Meetings of the Federal Parliamentary Labor Party, Vols. 2–3 *edited by Patrick Weller. Melbourne, Australia, Melbourne University Press, 1976.—516 pp. and 464 pp. $35.00.*

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The Documentary History of the Ratification of the Constitution, Vols. 1–2 *edited by Merrill Jensen. Madison, Wis., The Society Press, 1976.—391 pp. and 779 pp. $20.00 and $27.50.*

Factual Campaign Information *compiled by the Senate Library. Washington, D.C., U. S. Government Printing Office, 1976.—xv, 225 pp. $2.85.*

Historic Documents of 1975 *edited by Robert E. Cuthriell. Washington, D. C., Congressional Quarterly Inc., 1976.—v, 982 pp. $32.50.*

Historical Statistics of the United States: Colonial Times to 1970, Parts 1–2 *prepared under the direction of William Lerner. Washington, D. C., U. S. Government Printing Office, 1975.—xvi, 1200 pp. $26.00.*

Nomination and Election of the President and Vice President of the United States *compiled by Thomas M. Durbin, Rita Ann Reimer, and Thomas P. Ripy. Washington, D. C., U. S. Government Printing Office, 1976.—xiii, 414 pp. $3.30.*

The Papers of Woodrow Wilson, Vol. 21: 1910 *edited by Arthur S. Link. Princeton, N. J., Princeton University Press, 1976.—xx, 644 pp. $25.00.*

Political Science Annual: An International Review, Vol. 6, 1975 *edited by Cornelius P. Cotter. Indianapolis, Ind., The Bobbs-Merrill Company, Inc., 1976.—xii, 332 pp. $14.95.*

The Vietnam War and International Law, Vol. 4: The Concluding Phase *edited by Richard A. Falk. Princeton, N. J., Princeton University Press, 1976.—xiv, 1051 pp. Cloth, $35.00; paper, $13.50.*

Women in Public Office: A Biographical Directory and Statistical Analysis *compiled by Center for the American Woman and Politics. New York, R. R. Bowker Company, 1976.—lii, 455 pp. $19.95.*

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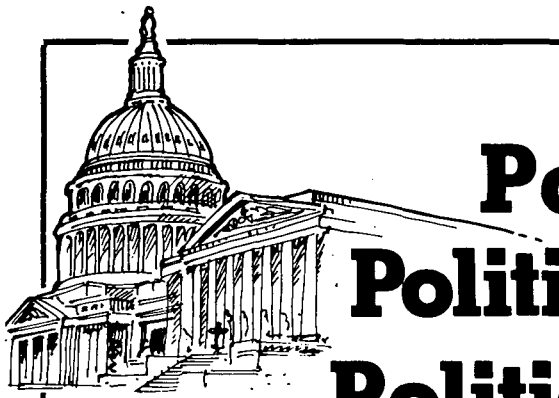

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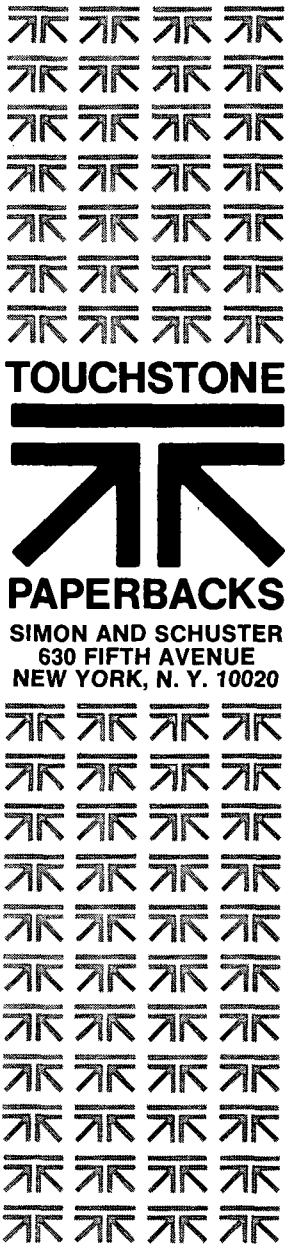

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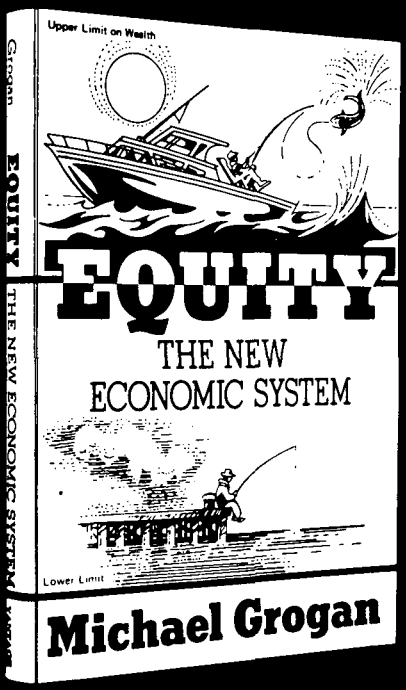

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